



MARIHUANA SPECIAL LAND USE PERMIT APPLICATION

Planning & Zoning Department – 906-786-9402

Submission Information	
<p>Application Fee: \$500</p> <p>Mail to: Planning & Zoning Department PO Box 948, Escanaba, MI 49829</p> <p>In-Person: 410 Ludington Street 2nd Floor (M-F, 7:30a-4p)</p> <p>Email: permits@escanaba.org</p>	<p>Payment due upon submittal.</p> <p>Cash, check, and credit card are accepted.</p> <p>Make checks payable to “City of Escanaba”.</p> <p>Additional processing fee applies to credit card transactions.</p> <p>Payment by credit card is accepted in-person or by phone.</p>

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

City Staff can assist with locating some information, but Applicant is responsible for submitting a complete application.

Property and Facility/Establishment Identification	
Address	Parcel #
Facility/Establishment Name	<input type="checkbox"/> Medical Marihuana Facility <input type="checkbox"/> Adult Use (Recreational) Marihuana Establishment

Required Components	
<p>Did you obtain pre-qualification status from the State of Michigan? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Please provide the following documents to submit a complete application:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Photocopy of a valid, unexpired driver’s license or state-issued identification card held by all individuals signing this application and... <ul style="list-style-type: none"> ✓ the applicant if filing as an individual, or ✓ all owners, directors, and officers of the applicant entity if filing as a non-individual. <input type="checkbox"/> (1) physical copy and (1) digital PDF copy of the complete construction drawings, including a Site Plan drawing and Architectural Floor Plans and Elevations, provided by the architect/engineer. <input type="checkbox"/> Copies of all documents issued by the Department of Licensing and Regulatory Affairs (LARA) indicating that the applicant has been prequalified for a state operating license under the Medical Marihuana Facilities Licensing Act (MMFLA) or Michigan Regulation and Taxation of Marihuana Act (MRTMA). <input type="checkbox"/> Any documents required by the Information & Standards Checklist. 	

Type of Facility/Establishment and Restrictions		
<p>An establishment may not be located within 750’ of an existing public or private K-12 school.</p>		
<p>May not be located within 500’ of an existing single-family dwelling.</p>	<p>May not be located within 100’ of an existing single-family dwelling. Exception: E-3 – Central Commercial.</p>	<p>No additional distance restriction.</p>
<input type="checkbox"/> Grower – Class A <input type="checkbox"/> Grower – Class B <input type="checkbox"/> Grower – Class C <input type="checkbox"/> Excess Marihuana Grower <input type="checkbox"/> Processor <input type="checkbox"/> Safety Compliance Establishment	<input type="checkbox"/> Provisioning Center/Retailer <input type="checkbox"/> Microbusiness - up to 150 plants (Adult Use Only) <input type="checkbox"/> Designated Consumption Establishment (Adult Use Only)	<input type="checkbox"/> Secure Transporter



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Description of Project		
Structure Length (ft), Width (ft), Area (s.f.)	Number of Stories, Height (ft)	Project Valuation \$
<i>New utilities to be incorporated:</i> <input type="checkbox"/> Electric <input type="checkbox"/> Water <input type="checkbox"/> Sanitary Sewer <input type="checkbox"/> Storm Sewer <input type="checkbox"/> N/A		

Contact Information	
Property Owner Name	Company (if non-individual)
Address, City, State, ZIP	
Phone	Email
Applicant/Owner's Representative Name	Company (if non-individual)
Address, City, State, ZIP	
Phone	Email
Architect/Engineer Name	Company
Address, City, State, ZIP	
Phone	Email
Contractor Name	Company
Address, City, State, ZIP	
Phone	Email

This Section Staff Use Only	
Date Submitted	Receipt #
Fee Paid: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Lot Type: <input type="checkbox"/> Corner <input type="checkbox"/> Interior <input type="checkbox"/> Irregular	Length, Width, Area (s.f.)
Area of Existing Structures (s.f.)	Zoning District:
Easements:	



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INFORMATION & STANDARDS CHECKLIST

APPLICANT:

Complete the following checklist to verify that the following Site Plan Information, Development Standards, and Marihuana Establishment Special Land Use Standards have been reviewed and incorporated into the plan.

Attach a separate verification sheet referencing each checklist item number. This sheet must include explanations or evidence that would demonstrate compliance with the standard OR why the standard is not applicable to the project. Failure to address these items will delay approval. A site plan review will not be scheduled for hearing by the Planning Commission until a complete application is submitted.

Site Plan Information		Yes	N/A
SP-1	The site plan must consist of a scaled drawing at a scale of one inch equals twenty feet (1"=20') or less, showing the site, its zoning classification, location, type, and size of structures and/or land on adjacent properties within two hundred (200) feet of the property.		
SP-2	Boundary survey of property prepared by a registered survey showing the location of proposed and/or existing property line, dimensions, legal descriptions, setback lines, and monument locations.		
SP-3	Location and type of significant existing vegetation as determined by a qualified, city approved authority.		
SP-4	Location and elevations of existing water courses and water bodies, including county drains and manmade surface drainage ways.		
SP-5	Location of existing and/or proposed buildings and intended uses thereof, as well as the length, width, and height of each building.		
SP-6	Proposed location of accessory structures, buildings and uses, including but not limited to, all flagpoles, light poles, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where applicable.		
SP-7	Location of snow storage areas.		
SP-8	Location of existing public roads, rights-of-way, and private easements of record and abutting streets. Dedication of any right-of-way for widening, extension, or connection of major streets as shown on the official Master Street Plan, and granting of easement(s) for public utilities where required.		
SP-9	Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes (if any) serving the development.		
SP-10	Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.		
SP-11	Location, size, and characteristics of all loading and unloading areas.		
SP-12	Location and design of all sidewalks, walkways, bicycle paths and areas for public use.		
SP-13	Location of water supply lines and/or wells, including fire hydrants and shut-off valves, and the location and design of storm sewers, retention or detention ponds, wastewater lines, clean-out locations, connection points and treatment systems, including septic systems, if applicable.		
SP-14	Location of all other utilities on the site, including but not limited to natural gas, electric, cable TV, telephone, and steam.		
SP-15	Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools, if applicable.		
SP-16	Location, size, and specifications of all signs and advertising features.		
SP-17	Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.		
SP-18	Location, height, size and specifications of all fences, walls, and other screening features with cross sections.		
SP-19	Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material, the proposed size at the time of planting must be indicated. All vegetation to be retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.		
SP-20	Location, size, and specifications for screening of all trash receptacles and other solid waste disposal facilities.		
SP-21	Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.		
SP-22	Identification of any significant site amenities or unique natural features.		



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SP-23	Identification of any significant views onto or from the site to or from adjoining areas.		
SP-24	North arrow, scale and date of original submittal and last revision.		
SP-25	Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan.		
Development Standards for Granting Plan Approval		Yes	N/A
DS-1	Building orientation. Primary structures shall be oriented so that their main entrance faces the street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.		
DS-2	Roof equipment. All roof-mounted equipment, including satellite dishes and other communication equipment, must be screened from recreation trails or from a public sidewalk adjacent to the site by a parapet wall or similar architectural feature. Exception: Solar energy collection panels do not require screening to allow maximum effectiveness.		
DS-3	Visual and sound mitigation. Reasonable visual and sound mitigation for all structures shall be provided. Fences, walks, barriers, and landscaping shall be used appropriately for the protection and enhancement of property and for the privacy of its occupants.		
DS-4	Emergency access. Every principal building or groups of buildings shall be so arranged as to permit emergency access by some practical means to all sides		
DS-5	Street access. Every development shall have legal access to a public or private street.		
DS-6	Circulation system. The development, where possible, shall provide vehicular and pedestrian circulation systems which reflect and extend the pattern of streets, pedestrian, and bicycle ways in the area. Travel ways which connect and serve adjacent development shall be designed appropriately to carry the projected traffic.		
DS-7	Non-motorized circulation system. A pedestrian and/or non-motorized vehicle circulation system shall be provided which is physically separated and insulated as reasonably possible from the vehicular circulation system.		
DS-8	Parking areas. All parking areas shall be designed to facilitate safe and efficient vehicular, non-motorized vehicle traffic, pedestrian circulation, minimize congestion at points of access and egress to intersecting roads, to encourage the appropriate use of alleys and minimize the negative visual impact of such parking area.		
DS-9	Shared drives. Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted. Shared use access between two (2) or more property owners should be encouraged through driveways constructed along property lines, connecting parking lots and construction of on-site of frontage roads and rear service drives; particularly within three hundred (300) feet of major intersections, for sites having dual frontage, at locations with site distance problems, and/or along roadway segments experiencing congestion or accidents. In such cases, shared access of some type may be the only access design allowed. In cases where a site is adjacent to an existing frontage road, parking lot of a compatible use, or rear service drive, a connection to the adjacent facility may be required by the Planning Commission through a mutual Access Easement Agreement. In cases where a site is adjacent to undeveloped property, the site should be designed to accommodate a future frontage road, parking lot connection, rear service drive or shared access drive. The applicant shall provide the City with letters of agreement or access easements from all affected property owners.		
DS-10	Loading, unloading and storage areas. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which are visible from residential districts or public rights-of-way shall be screened by a vertical screen consisting of structural and/or plant materials not less than six feet in height. Loading docks should be located at the side yard or rear yard of the building.		
DS-11	Light sources. Exterior light sources shall be deflected downward and away from adjacent properties and rights-of-way to promote and enhance “dark-sky” designs.		
DS-12	Utilities. Adequate utilities shall be provided to properly serve the development. All utilities shall be placed underground.		
DS-13	Environmental issues. Sites at which hazardous substances and potential pollutants are stored, used, or generated shall be designed to prevent spills and discharges to the air, surface of the ground, groundwater, lakes, streams, creeks, or wetlands.		
DS-14	Tree Preservation Purpose and Intent. Trees are a critical part of the vegetation that serves to decrease and filter storm water runoff, to mitigate the urban heat island effect created by paved and other built surfaces, to remove pollutants from the air, to abate visual and noise pollution, and to provide habitat for wildlife. Tree removal thus increases the burden on the community to effectively address these issues. The goals of the tree preservation provisions are to reduce tree loss during development, to reduce damage to standing trees during construction, to provide for replacement of trees lost during construction, to provide for the planting of trees lost during construction, to provide for the planting of trees where none occurred previously, and to provide for the maintenance of preserved trees after construction is completed.		
DS-15	Storm Water Control Plan. A Storm Water Control Plan shall be designed appropriately to carry storm water away from buildings and adjacent properties into an approved collection system.		



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DS-16	Section 1908 reviewed for Additional Development & Design Standards in Certain Districts. (Addresses exterior materials that may/may not be used.)		
Marihuana Establishment Special Land Use Standards		Yes	N/A
ME-1	Facilities and establishments must comply with the MMFLA or MRTMA, as applicable; all Rules; and any other applicable state laws or regulations.		
ME-2	Facilities and establishments must be sufficiently screened or buffered with a fence, wall, or landscape screen to minimize light spillage, odor, and noise (including noise associated with truck traffic or other machinery), affecting adjacent properties.		
ME-3	Facilities and establishments must take commercially reasonable measures to ensure that odor is not detectable outside of the building or property.		
ME-4	Facilities and establishments must comply with all City codes and ordinances, including but not limited to the International Fire Code, as adopted by the City at Section 12-16 of the Code of Ordinances.		
ME-5	Special use applicants must provide a plan for the storage and disposal of marihuana or chemicals associated with marihuana cultivation to minimize the risk of theft or harm resulting from chemical exposure.		
ME-6	No marihuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marihuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.		
ME-7	An establishment may not be located within seven hundred and fifty (750) feet of an existing public or private K-12 school as measured from the nearest point of the property line.		
ME-8	The exterior appearance of a provisioning center or retailer must be compatible with surrounding businesses with respect to façade type, ground floor opacity, size and placement of signage, site layout, etc.		
ME-9	Building bays shall be a maximum of thirty feet in width. Bays shall be visually established by architectural features such as columns, ribs or pilasters, piers, and fenestration pattern. To add architectural interest and variety and avoid the effect of a single, long, or massive wall with no relation to human size, the following additional standards shall apply: <ul style="list-style-type: none"> No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty feet without including at least two of the following: change in plane, change in texture or masonry pattern, windows, or an equivalent element that subdivides the wall into human scale proportions. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall, only when actual doors and windows are not feasible because of the nature of the use of the building. All sides of the building shall include materials and design characteristics consistent with those on the front. Use of inferior or lesser quality materials for side or rear façades shall be prohibited. 		
ME-10	Façades that face streets or connecting pedestrian frontage shall be subdivided and proportioned using features such as windows, entrances, arcades, arbors, awnings, along no less than fifty percent of the façade.		
ME-11	Primary building entrances shall use clear glass and be clearly defined and recessed or framed by a sheltering element such as an awning, arcade, or portico to provide shelter from the inclement weather.		
ME-12	Windows shall have clear glass.		
ME-13	Awnings shall be no longer than a single storefront.		
ME-14	All façades shall have: <ul style="list-style-type: none"> A recognizable “base” consisting of, but not limited to: (a) thicker walls, ledges, or sills; (b) integrally textured materials such as stone or other masonry; (c) integrally colored and patterned materials such as smooth-finished stone or tile; (d) lighter or darker colored materials, mullions, or panels; or (e) planters. A recognizable “top” consisting of, but not limited to: (a) cornice treatments, other than just colored “stripes” or “bands,” with integrally textured materials such as stone or other masonry or differently colored materials; (b) sloping roof with overhangs and brackets; (c) stepped parapets. 		
ME-15	Encroachments for special architectural features, such as bay windows, decorative roofs and entry features may be considered; however, in no case may such features be below a height of 8 feet.		
Marihuana Establishment Special Land Use Standards – Provisioning Centers/Retailers		Yes	N/A
MR-1	A retailer may not be located within one hundred (100) feet of any existing one-family dwelling as measured from the nearest point of the property line, except that this distance requirement does not apply in the E-3		
MR-2	The interior of the establishment must be arranged in a way such that neither marihuana nor marihuana-infused products are visible from the exterior of the establishment.		
MR-3	Consumption of marihuana shall be prohibited in the retail establishment, and a sign shall be posted on the premises of each retail center indicating that consumption is prohibited on the premises.		
MR-4	Provisioning centers and retailers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras. The video recordings shall be maintained in a secure, off-site location for a period of 14 days.		



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MR-5	The public or common areas of the retail establishment must be separated from restricted or non-public areas of the marihuana establishment.		
MR-6	No drive-through window on the portion of the premises occupied by a retail establishment shall be permitted.		
MR-7	Provisioning centers and retailers shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises.		
Marihuana Establishment Special Land Use Standards – Growers, Processors, Safety Compliance		Yes	N/A
MG-1	A grower, processor, or safety compliance establishment may not be located within five hundred (500) feet of any existing one-family dwelling as measured from the nearest point of the property line.		
MG-2	<p>Marihuana growers must control and eliminate odor as follows:</p> <ul style="list-style-type: none"> The building must be equipped with an activated air scrubbing and carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter and air scrubbing system. The filtration system must consist of one or more fans, activated carbon filters and be capable of scrubbing the air prior to leaving any building. At a minimum, the fans must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filters shall be rated for the applicable CFM. The air scrubbing and filtration system must be maintained in working order and must be always in use. The filters must be changed per manufacturers' recommendation to ensure optimal performance. Negative air pressure must be maintained inside the building. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building. An alternative odor control system is permitted if the special use applicant submits a report by a mechanical engineer licensed in the state of Michigan sufficiently demonstrating that the alternative system will eliminate odor as well or better than the air scrubbing and carbon filtration system otherwise required. 		
MG-3	Cultivation must occur within an enclosed building with exterior facades consisting of opaque materials typical of an industrial or commercial building. The roof of the building may be constructed of a rigid transparent or translucent material designed to let in light, such as glass or rigid polycarbonate or fiberglass panels. Films or other non-rigid materials cannot be used to construct any component of the building's exterior structure.		
MG-4	Cultivation must be conducted in a manner to minimize adverse impacts on the City's sanitary sewer and in compliance with the City's Wastewater Ordinance. The City's Water/Wastewater Department shall review all pertinent information relating to sewer discharges and shall provide any comments to the planning commission.		



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All construction or addition to a structure requires zoning approval, whether or not a building permit is required.

- Please call the Delta County Building & Zoning Department at (906) 789-5189 to determine if you will need a building permit in addition to the Zoning Compliance Permit.

Property Access:

- Assessing Staff may visit the property for tax purposes, as applicable.
- Planning & Zoning Staff may visit the property for inspection and verification of compliance with this permit.

Setbacks:

- A setback is the distance required between a property line and a roof edge, excluding allowable projections and encroachments.
- Setbacks vary by zoning district and for corner lots. On corner lots, both street frontages are considered as front lot lines for setback purposes. The side opposite the street address is considered the rear yard. The remaining side is the side yard.

Property Lines:

- It is the property owner’s responsibility to know the exact location of their property lines.
- The City Engineering Department can assist with locating existing property corner markers upon request. This is not a legal survey and is not guaranteed to be accurate. The City of Escanaba assumes no responsibility for property corner markings, measurements, or errors thereof.
- If greater assurance of accuracy is desired, please contact a local surveying firm for a full property survey.

Penalties for Construction Prior to Approval:

- If construction commences prior to obtaining an approved Zoning Compliance Permit, citations for civil infractions may be issued. Additionally, the structure will be required to be moved or altered to bring it to full compliance with the zoning ordinances.

Zoning Ordinance Compliance:

- The above stipulations and requirements are not all-inclusive.
- It is the applicant’s and property owner’s responsibility to review the Zoning Ordinance for all the applicable standards regarding the proposed project.

Easements:

- No structures will be permitted within any legal easement.
- Existing structures that are located within an easement will be evaluated for easement violation and may be required to be moved or removed.

Affidavit and Signature		
<p>I, the undersigned, have read and understand the above statements. I acknowledge that the information in this application is true, and if found not to be true, any zoning permit that may be issued may be void. I agree to comply with the conditions and regulations provided with any permit that may be issued and will also comply with all applicable sections of the City of Escanaba Zoning Ordinance. I give permission for officials of the City of Escanaba, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Finally, I understand that this is a zoning permit application (not a permit) and that a zoning permit, if issued, conveys only land use rights, and does not include any representation or conveyance of right in any other statute, building code, deed restriction or other property rights.</p>		
Property Owner Signature	Printed Name	Date
Applicant Signature	Printed Name	Date