

**CITY OF EASTPOINTE
COUNTY OF MACOMB
STATE OF MICHIGAN**

RESOLUTION NO. 21-1928

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EASTPOINTE, MICHIGAN**

**A RESOLUTION OF THE CITY COUNCIL APPROVING A MEDICAL
MARIHUANA FACILITIES PERMIT APPLICATION AND
EVALUATION POINT SYSTEM POLICY**

RECITALS

WHEREAS, the City of Eastpointe passed the Medical Marihuana Facilities Ordinance and Medical Marihuana Overlay Districts Ordinance on June 16, 2020, creating a regulatory framework to allow for the permitting and location of medical marihuana facilities and businesses in the City;

WHEREAS, a City-issued permit is required in order to lawfully operate a medical marihuana facility in the City of Eastpointe;

WHEREAS, in order to obtain a permit, an application shall first be submitted to the clerk which shall contain certain information as required by the City's Medical Marihuana Facilities Ordinance;

WHEREAS, an application for a medical marihuana facilities permit containing all information as required by the City's Medical Marihuana Facilities Ordinance and subject to certain factors contained therein shall be approved or denied by a committee consisting of the city manager or designee, the director of public safety or a manager in the public safety department, and the building official or economic development department;

WHEREAS, if the committee receives more eligible applications for a specific type of city permit than is authorized by the City, the committee shall utilize a point-based system in accordance with the City of Eastpointe's Medical Marihuana Facilities Permit Application and Evaluation Point System Policy;

WHEREAS, the attached Medical Marihuana Facilities Permit Application and Evaluation Point System Policy is intended to facilitate and provide for the efficient, objective, and fair evaluation of permit applications which shall be utilized by the clerk and the committee in the performance of their respective duties and functions, and

WHEREAS, the Eastpointe City Council wishes to adopt a Medical Marihuana Facilities Permit Application and Evaluation Point System Policy for use by City Administration which shall supplement and be utilized in conjunction with the City's Medical Marihuana Facilities Ordinance and Medical Marihuana Overlay Districts Ordinance.

NOW, THEREFORE IT IS RESOLVED

- 1. That the City of Eastpointe's Medical Marihuana Facilities Permit Application and Evaluation Point System Policy as shown in Exhibit A is approved and adopted by the Eastpointe City Council.

AYES: Curley, Moore, Owens, DeMonaco, Lucido
NAYS: None
ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) SS:
 COUNTY OF MACOMB)

I, Elke Doom, the duly qualified Clerk of the City of Eastpointe, Macomb County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Eastpointe on the 18th day of May, 2021, the original of which is in my office.



 Elke Doom
 City Clerk

CITY OF EASTPOINTE

MEDICAL MARIHUANA FACILITIES PERMIT APPLICATION AND
EVALUATION POINT SYSTEM POLICY

ADOPTED ON MAY 18, 2021

The Mayor and City Council for the City of Eastpointe hereby adopt this policy to be used in the processing and evaluation of applications for medical marihuana facilities permits.

I. PURPOSE

This policy is intended to facilitate and provide for the efficient, objective, and fair evaluation of medical marihuana facility permit applications which shall be utilized by the clerk and the committee in the performance of their respective duties and functions.

II. POLICY

An application for a medical marihuana facility permit shall be submitted to the clerk and shall contain certain information as required by the City's Medical Marihuana Facilities Ordinance. Those applications containing all information required by the City's Medical Marihuana Facilities Ordinance and subject to certain factors contained therein shall be approved or denied by a committee consisting of the city manager or designee, the director of public safety or a manager in the public safety department, and the building official or economic development department. If the committee receives more eligible applications for a specific type of city permit than is authorized by the City, the committee shall utilize a point-based system in accordance with Section III of this policy.

III. PROCEDURES AND CRITERIA

- A. **Preliminary Denial of Application.** The clerk shall reject any application that does not meet the requirements of the MMFLA, the MMMA, the Administrative Rules or the City of Eastpointe's Medical Marihuana Facilities Ordinance or Medical Marihuana Overlay District Ordinance. The clerk shall reject any application that does not contain an approved Entity/Individual Prequalification issued by the State of Michigan. The clerk shall reject any application that proposes a location on a parcel that is not an approved parcel as depicted on the official map published by the City. The clerk shall reject any application that does not comply with any other applicable provision of the Eastpointe Code of Ordinances. The clerk shall reject any application that does not comply with the International Fire Code; International Property Maintenance Code; Michigan Plumbing Code; Michigan Mechanical Code; National Electrical Code; Michigan Rehabilitation Code, or the Michigan Building Code.

B. Applications Subject to Evaluation Scoring Process. In the event the committee receives more eligible applications for a specific type of city license than is authorized by the city, the committee shall select the applicant or applicants most suitable to operate its facility based on an objective and competitive scoring process. This scoring process is only necessary if the commission receives more eligible applications than is authorized for any given type of medical marijuana facility. The commission shall assess, evaluate, score, and rank all impacted applications and issue city licenses to those applicants receiving the highest score. In its application assessment, evaluation, scoring, ranking, and deliberations, the commission shall assess, evaluate, score, and rank each application based upon a scoring and ranking procedure developed by the city consistent with the requirements, conditions, and provisions of this section. The detailed scoring and ranking system shall be provided to each applicant and included in the application materials developed by the city. Scoring and ranking shall be conducted and applied by the commission on the basis of assigned points from zero points to 200 points with the lowest overall total score as zero points and the highest possible total score being 200 points. Scoring categories include, and are limited to the following scoring points and criteria:

- (1) The content and sufficiency of the information provided by applicant in the application. The maximum number of scoring points in this category shall be ten (10) points.**
- (2) Whether the applicant's proposed use is consistent with the land use for the surrounding neighborhood and will not have a detrimental effect on traffic patterns, health, welfare or safety of residents or abutting properties. The maximum number of scoring points in this category shall be ten (10) points.**
- (3) Planned neighborhood outreach on behalf of the applicant, and whether the applicant or its stakeholders have made, or plan to make, significant physical improvements to the area around the property or other areas contiguous to the property that would include, but not be limited to, plans to eliminate or minimize traffic, noise, and odor effects on the surrounding neighborhood and improve the surrounding neighborhood and area. Planned outreach may also include plans to make significant physical improvements to other local private or public roads, rights-of-way, alleys, parks or any other private or public property that would benefit the surrounding area. The maximum number of scoring points in this category shall be twenty (20) points.**
- (4) The business probity, moral reputation, and relevant criminal history of applicant or any of its stakeholders; whether the applicant or any of its stakeholders have a record of acts detrimental to the public health, security, safety, morals, good order, or general welfare prior to the date of the**

application; whether the applicant or any of its stakeholders have any other professional licenses, including by way of example, but not limited to, such licenses as a medical doctor, lawyer or accountant; whether the applicant or any of its stakeholders are residents of the city or of Macomb County. The maximum number of scoring points in this category shall be thirty (30) points.

- (5) Whether the applicant and its stakeholders have made or plan to make significant capital improvements to the proposed facility, the surrounding neighborhood, and/or the city. This includes, but is not limited to:
- (a) The total overall capital investment in funds to be invested in the renovations to the property and surrounding area including the overall investment in equipment, fixtures, and other related items;
 - (b) How significant the upgrades or renovations to the property and surrounding area are, such as, but not limited to: the extent of renovations to an existing building or buildings; the extent of new construction of a building or buildings; the extent of renovation to a location or site that may involve a Brownfield involved site or other like condition on the property; the overall size of the site and building or buildings of the proposed renovations;
 - (c) Whether or not the property to be improved has an environmentally friendly design and environmentally friendly production and waste management design and plan;
 - (d) The extent of, and additions to or extra security measures taken above the minimum security measures required under state law; the extent of, and additions to or other extra measures taken above the state minimum requirements for growing, processing, testing, transporting or selling medical marihuana, and
 - (e) The extent of upgrades and renovations to the landscaping, parking, lighting and similar to the site and surrounding area.

The maximum number of scoring points in this category shall be fifty (50) points.

- (6) Whether the applicant and its stakeholders have reasonably and tangibly demonstrated that it possesses sufficient financial resources to fund, and the requisite business experience to execute its business plan and proposed operations in its application; whether applicant or its stakeholders have other established business operations in the city, Macomb County or State

of Michigan and any relevant connection these operations have to medical marihuana facilities and the length of operation of these other business operations; whether the applicant and its stakeholders have reasonably and tangibly disclosed its funding sources and relevant background of those funding sources. The maximum number of scoring points in this category shall be twenty (20) points.

- (7) The number of full-time and part-time positions anticipated by the applicant, and whether the applicant has articulated plans or strategies to attract, hire and retain employees that are residents of the city. Whether the applicant has articulated plans or strategies in providing competitive compensation, benefits or educational programs to its employees. The maximum number of scoring points in this category shall be thirty (30) points.
- (8) Whether the planned signage for the proposed location is detrimental to the public health, security, safety, morals, good order, general public welfare or image of the city or is of a nature that is consistent with the land use for the surrounding neighborhood and of such a design and location that is in harmony with the purpose and intent of this article. This includes, but is not limited to, the size, location, construction materials of the sign and/or design of the sign, logos, or lighting. The maximum number of scoring points in this category shall be ten (10) points.
- (9) Whether the applicant has planned community outreach to the city and its residents. This includes, but is not limited to, planned outreach or educational services, charitable or philanthropic activity, community improvement or educational programs, or other contributions and factors that will directly benefit the city, city services and improve the health, safety, and welfare of the city and its residents, consistent with the city's strategic plan. The maximum number of scoring points in this category shall be twenty (20) points.