

**MEDICAL MARIHUANA PRELIMINARY REVIEW CHECKLIST**

Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

1. Provide documentation regarding the applicant's form of entity.
2. Identify the Zoning District of the subject property: \_\_\_\_\_
3. Identify the proposed uses / activities for the subject property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Does applicant intend to cultivate / grow marihuana at the property? Yes \_\_\_\_\_ No \_\_\_\_\_  
Specify how applicant intends to grow product (techniques, security, utilities, etc) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Submit documents evidencing authorization to use subject property for medical marihuana (evidence that applicant is owner of the property or a lease or affidavit reflecting right of lease to possess and utilize property for medical marihuana).
6. Diagram of the property showing building layout, distance from adjacent properties, distance from closest schools and churches, other medical marihuana providers and area of property in which medical marihuana will be grown, stored or dispensed.
7. Documentation detailing comprehensive plan of operation for the medical marihuana activity including: Plans for security, signage, disposal of medical marihuana and related byproducts. Provide a complete business plan.
8. Plan to protect confidentiality of medical marihuana patients and evidence of all necessary Health Department permits or licenses associated with all proposed activities on the premises.
9. Acknowledgement that the applicant shall not exceed the state prescribed number of medical marihuana patients.
10. Approval from the Community Development Department and Fire Marshal that the property meets all current codes.

Signatures:

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Police Department

\_\_\_\_\_  
Community Development

**For Office Use Only**

Received: \_\_\_\_\_ Complete: \_\_\_\_\_ Sent to PD: \_\_\_\_\_ Returned from PD: \_\_\_\_\_

Sent to City Atty: \_\_\_\_\_ Returned from City Atty: \_\_\_\_\_

Inspection(s): \_\_\_\_\_ B \_\_\_\_\_ M \_\_\_\_\_ P \_\_\_\_\_ E \_\_\_\_\_ F \_\_\_\_\_ C of O Issued: \_\_\_\_\_

**CITY OF FERNDALE  
APPLICATION FOR LICENSE  
MEDICAL MARIHUANA FACILITY OR MEDICAL MARIHUANA GROW OPERATION**  
Pursuant to Chapter 7, Article XX of the City of Ferndale Code of Ordinances

**Non-refundable Application Fee: \$2,000.**

**License is valid from July 1<sup>st</sup> to June 30<sup>th</sup>.**

I the undersigned do hereby make application for a license for a:

- ( ) Medical Marihuana Facility  
( ) Medical Marihuana Grow Operation



**SECTION 1.**

**Information about Facility/Operation**

Explanation of services to be provided: _____
Physical Address of Facility/Operation: _____
Mailing Address of Facility/Operation: _____
All Phone Number(s) for Facility/Operation: _____

**Information about Applicant**

Name of Applicant: _____
Residential Address of Applicant: _____
Phone Number(s) of Applicant: _____
Please list applicant's business, occupation or employment for the three (3) years immediately preceding the date of application: _____
List the name and address of any medical marihuana facility or grow operation owned or operated previously by the applicant: _____
Has applicant had a business license revoked or suspended in the past? <u>      </u> Yes <u>      </u> No
If yes, please state the reason: _____
What was applicant's business activity or occupation following the revocation/suspension of the business license? _____

***If applicant is a Corporation or a Partnership, also fill out Section 2 of this application.***

**Information about Employees**

Please list all current or proposed employees: _____
For applicant and each employee attach a copy of photo identification proving that he/she is at least 21 years of age.
For applicant and each employee attach copy of Registry Identification Card issued by the Michigan Department of Community Health (MDCH) for Primary Caregiver.

***Throughout license period applicant is responsible to supply ID, proof of age and Registry Identification Card for each new employee not listed above.***



**SECTION 2.**

**If Applicant is a Corporation:**

List names and residence addresses of each of the officers and directors of said corporation and of each stockholder owning more than ten percent of the stock of the corporation:
Address of Corporation, if different from the address of the Medical Marihuana Facility or Medical Marihuana Grow Operation: _____
Name & Address of Resident Agent for Corp.: _____

**If Applicant is a Partnership:**

List names and residence addresses of each of the partners:
Address of Partnership, if different from the address of the Medical Marihuana Facility or Medical Marihuana Grow Operation: _____
Name & Address of Resident Agent for Partnership: _____





**SECTION 3.**

I hereby grant authorization for the City, its Agents and Employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit.

I hereby swear that all the above statements are true, and if the license is granted, I agree to conform to the provisions contained in Ferndale City Code Chapter 7, Article 20, and to conduct said business in the manner required therein, and I hereby acknowledge receipt of a copy of said ordinance and hereby represent that I have knowledge of the contents in relation to the conduct of said business.

Date \_\_\_\_\_ Applicant Signature \_\_\_\_\_



**SECTION 4.**

**Attachments:**

- Copy of completed medical marihuana checklist, as submitted to Community and Economic Development Director
- Copy of photo identification proving applicant and each employee is over the age of 21
- Copy of Registry Identification Card issued by the Michigan Department of Community Health (MDCH) for Primary Caregiver
- Copy of receipt for \$2,000 non-refundable application fee



***For office use only.***

**Inspections:**

Community Development \_\_\_\_\_

Fire \_\_\_\_\_

Police \_\_\_\_\_

License Number \_\_\_\_\_ Date Issued \_\_\_\_\_

Issued by \_\_\_\_\_

Received \$ \_\_\_\_\_ License Fee (Non-refundable) Check No. \_\_\_\_\_

Date \_\_\_\_\_ By \_\_\_\_\_  
Marne McGrath, City Clerk

ORDINANCE NO. 1096

CITY OF FERNDALE  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE 8 TO ADD SECTION 8.25 TO THE ZONING ORDINANCE, ADDING MEDICAL MARIHUANA FACILITY AND MEDICAL MARIHUANA GROW OPERATION.

**THE CITY OF FERNDALE ORDAINS:**

**Part I.**

The City of Ferndale Zoning Ordinance, Article 8 is amended to add Section 8.25 as follows:

**Section 8.25. Medical Marihuana Facility and Medical Marihuana Grow Operation.**

1. Medical Marihuana Facility shall be subject to the following requirements.
  - A. Primary caregivers and/or qualified patients at the facility must be legally registered by the Michigan Department of Community Health (MDCH) to assist qualified patients with the medical use of marihuana in accordance with the Michigan Medical Marihuana Act, as amended.
  - B. The facility shall not be allowed within 500 feet of an educational institution, nursery school, or child care center, or another Medical Marihuana Facility or Medical Marihuana Grow Operation.
  - C. The facility shall be available for inspection, during business hours, by the City Manager or the City Manager's designee to confirm the facility is operating in accordance with all applicable laws, including state law and city ordinances.
  - D. The facility shall open no earlier than 8:00 a.m. and close no later than 8:00 p.m.
  - E. The facility shall not be permitted to have drive-thru facilities.
  - F. No use of medical marihuana at the facility.
  - G. No patients shall be allowed in facility after hours.
  - H. The parking requirements for a facility shall be consistent with the parking requirements for medical clinics.
  - I. A security plan and floor plan shall be submitted with applications for a facility. The facility shall identify the number of plants, chemical storage, space and other critical

aspects of the layout. The security and floor plan shall be a confidential document by the City exempt from disclosure under the Freedom of Information Act.

J. A waste disposal plan shall be included with all applications for a facility detailing plans for chemical disposal and plans for plant waste disposal.

2. Any Medical Marihuana Grow Operation, in addition to the requirements of subsection 1., shall comply with the following requirements:

A. The grow operation shall be in compliance with Fire Protection Code.

B. The grow operation shall receive OSHA/MIOSHA certifications regarding safety of environment for facility's caregivers.

C. The grow operation shall obtain MDEQ and City of Detroit approval regarding discharge of growing by-products into the city sewer system.

D. The following shall be prohibited:

i. Storage of toxic, flammable or hazardous materials;

ii. Discharge of any toxic, flammable or hazardous materials into city sewer system;

iii. No residential uses within the same building/structure;

iv. No outdoor storage.

v. No minors in the facility without a parent and/or guardian.

E. The grow operation shall open no earlier than 8:00 a.m. and close no later than 8:00 p.m., except staff may be at the operation necessary to attend to the grow operation.

F. The parking requirements for a grow operation in M-1 and M-2 Districts shall be consistent with the parking requirements for manufacturing facilities.

G. A security plan and floor plan shall be submitted with applications for a grow operation shall identify the number of plants, chemical storage, space and other critical aspects of the layout. The security and floor plan shall be a confidential document by the City exempt from disclosure under the Freedom of Information Act.

H. A waste disposal plan shall be included with all applications for a grow operation detailing plans for chemical disposal and plans for plant waste disposal.

## **Part II. Savings Clause.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

**Part III. Severability.**

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

**Part IV. Repeal.**

All regulatory provisions contained in other city ordinances which are inconsistent with the provisions of this ordinance, are repealed.

**Part V. Effective Date; Publication.**

This ordinance shall become effective seven (7) days after publication.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS 23<sup>rd</sup> DAY OF AUGUST, 2010.

  
\_\_\_\_\_  
CRAIG COVEY, MAYOR

  
\_\_\_\_\_  
J. CHERILYNN TALLMAN, CITY CLERK

Date of Adoption: August 23, 2010

Date of Publication: August 27, 2010

**CERTIFICATE OF ADOPTION**

I certify that the foregoing is a true and complete copy of the Ordinance passed at a meeting of the Ferndale City Council held on the 23<sup>rd</sup> day of August, 2010.

  
\_\_\_\_\_  
J. CHERILYNN TALLMAN, CITY CLERK



ORDINANCE NO. 1097

CITY OF FERNDALE  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND SECTION 19.08, DEFINITIONS M-N, OF THE ZONING ORDINANCE TO ADD DEFINITIONS FOR MEDICAL MARIHUANA FACILITY AND MEDICAL MARIHUANA GROW OPERATION.

**THE CITY OF FERNDALE ORDAINS:**

**Part I.**

The City of Ferndale Zoning Ordinance, Section 19.08, Definitions M-N is amended to add definitions of Medical Marihuana Facility and Medical Marihuana Grow Operation as follows:

**Section 19.08 Definitions M-N**

- A. **Major Project.** A development larger than two (2) acres or twenty-five thousand (25,000) square feet.
- B. **Manufactured Home.** A detachable single-family dwelling prefabricated on its own chassis, intended for long-term occupancy and designed to be transported on its own wheels or flatbed to the site where it is to be occupied as a complete dwelling without a permanent foundation. The unit shall contain sleeping accommodations, a flush toilet, a wash basin, a tub or shower, kitchen and living quarters.
- C. **Manufactured Home Park.** Any parcel of land intended and used to accommodate more than one (1) manufactured home for living use, which is offered to the public for that purpose; including any structure, facility, area, or equipment used or intended for use by park management or residents.
- D. **Manufacturing.** A facility whose principal use is the physical, mechanical or chemical transformation of materials or substances into new products including assembling, making, preparing, inspecting, finishing, treating, altering or repairing, or the blending of materials such as oils, plastics or resins.
- E. **Massage Establishment.** A facility that complies with the requirements of the Massage Establishment Licensing Regulations in the Ferndale Code of Ordinances, as amended.
- F. **Master Plan.** The comprehensive long-range plan, adopted by the Planning Commission and City Council, intended to guide growth and development within the City and that includes analysis, recommendation and proposals for the community's population, economy, housing, transportation, community facilities and land use.
- G. **Medical Marihuana Facility.** A facility where primary caregivers and/or qualified patients, who are legally registered by the Michigan Department of Community Health (MDCH), may lawfully assist qualified patients, also legally registered by the MDCH,



concerning the evaluation, counseling and acquisition of medical marihuana in accordance with the Michigan Medical Marihuana Act, as amended. A use purporting to be engaged in the medical use of marihuana prior to enactment of the Michigan Medical Marihuana Act or prior to being legally registered by the MDCH, shall be deemed to not be a legally established use and not entitled to legal nonconforming status under the provision of this ordinance and under state law. The facility shall not include a club, café or other design that permits consumption of medical marihuana at the facility.

- H. **Medical Marihuana Grow Operation.** means a use, in accordance with the Michigan Medical Marihuana Act, as amended, for the growing, cultivation, planting and manufacturing of medical marihuana.
- I. **Mezzanine.** An intermediate floor between stories occupying but not exceeding one-third (1/3) of the floor area of the story directly below.
- J. **Motel.** A lodging facility containing rooms with direct access to the outside and individual bathrooms. Rooms may contain cooking facilities. A motel may also contain a common dining or restaurant facility. See also Hotel and Lodging Facility.
- K. **Nonconforming Building or Structure.** A building or structure lawfully existing at the effective date of this Ordinance, as amended, which does not conform to the provisions of the zoning district in which it is located.
- L. **Nonconforming Lot.** A lot of record, lawfully in existence on the effective date of this Ordinance and any amendments thereto, which no longer meets the dimensional requirements of the zoning district in which it is located.
- M. **Nonconforming Use.** A use which lawfully occupied a building or structure or parcel of land at the effective date of this Ordinance, as amended, which does not conform to the use regulations of the zoning district in which it is located.
- N. **Nuisance.** An offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as, but not limited to, noise, dust, smoke, odor, glare, fumes, flashes, vibration, shock waves, heat, electronic or atomic radiation, objectionable effluent, noise of congregation of people, particularly at night, passenger traffic, invasion of non-abutting street frontage by traffic, a burned-out structure, a condemned structure.

## **Part II. Savings Clause.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

**Part III. Severability.**

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

**Part IV. Repeal.**

All regulatory provisions contained in other city ordinances which are inconsistent with the provisions of this ordinance, are repealed.

**Part V. Effective Date; Publication.**

This ordinance shall become effective seven (7) days after publication.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS 23<sup>rd</sup> DAY OF AUGUST, 2010.

  
\_\_\_\_\_  
CRAIG COVEY, MAYOR

  
\_\_\_\_\_  
J. CHERILYNN TALLMAN, CITY CLERK

Date of Adoption: August 23, 2010

Date of Publication: August 27, 2010

**CERTIFICATE OF ADOPTION**

I certify that the foregoing is a true and complete copy of the Ordinance passed at a meeting of the Ferndale City Council held on the 23<sup>rd</sup> day of August, 2010.

  
\_\_\_\_\_  
J. CHERILYNN TALLMAN, CITY CLERK



ORDINANCE NO. 1098

CITY OF FERNDALE  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE 4, COMMERCIAL AND OFFICE DISTRICTS, SECTION 4.02, USES, AND ARTICLE 6, INDUSTRIAL DISTRICTS, SECTION 6.02, USES, OF THE FERNDALE ZONING ORDINANCE, TO PERMIT AS SPECIAL LAND USES MEDICAL MARIHUANA FACILITY AND MEDICAL MARIHUANA GROW OPERATION.

**THE CITY OF FERNDALE ORDAINS:**

**Part I.**

The City of Ferndale Zoning Ordinance, Article 4, Commercial and Office Districts, Section 4.02, Uses, and Article 6, Industrial Districts, Section 6.02, Uses, are amended as follows:

**Section 4.02. Uses.** A Medical Marihuana Facility may be permitted as a special land use in OS Office Service District. A Medical Marihuana Grow Operation may be permitted as a special land use only as an accessory use to a Medical Marihuana Facility in the OS Office Service District and the Medical Marihuana Grow Operation shall be limited to not more than 20% of the interior floor space of the structure or building.

**Section 6.02. Uses.** A Medical Marihuana Facility and a Medical Marihuana Grow Operation may be permitted as a special land use in the M-1 Light Industrial District and the M-2 General Industrial Districts.

**Part II. Savings Clause.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

**Part III. Severability.**

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.


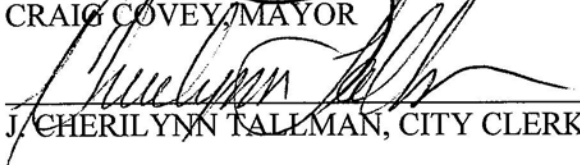
**Part IV. Repeal.**

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**Part V. Effective Date; Publication.**

This ordinance shall become effective seven (7) days after publication.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS 23<sup>rd</sup> DAY OF AUGUST, 2010.

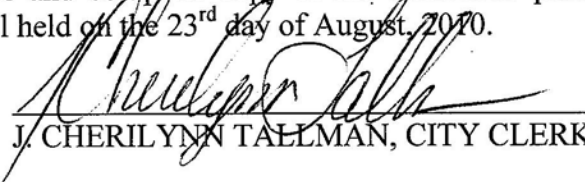
  
\_\_\_\_\_  
CRAIG COVEY, MAYOR  
  
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J. CHERILYNN TALLMAN, CITY CLERK

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\_\_\_\_\_  
J. CHERILYNN TALLMAN, CITY CLERK



ORDINANCE NO. 1099

CITY OF FERNDALE  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 7, BUSINESS REGULATION AND LICENSES GENERALLY, TO ADD ARTICLE XX, MEDICAL MARIHUANA FACILITY AND MEDICAL MARIHUANA GROW OPERATION, OF THE FERNDALE CODE OF ORDINANCES.

**THE CITY OF FERNDALE ORDAINS:**

**Part I.** The City of Ferndale Code of Ordinances, Chapter 7, Business Regulation and Licenses Generally, is amended to add Article XX, Medical Marihuana Facility and Medical Marihuana Grow Operation, as follows:

**Article XX. Medical Marihuana Facility and Medical Marihuana Grow Operation**

**Sec. 7-410. Purpose.**

The purpose of this article is to:

- (a) Serve and protect the health, safety and welfare of the general public;
- (b) Establish a set of rules and regulations which are fair and equitable for those interested in establishing Medical Marihuana Facility and Medical Marihuana Grow Operation;
- (c) To provide reasonable regulations pursuant to the City's general police power granted to cities by the Michigan Constitution of 1963 and the Home Rule City Act, MCL §117.1 et. seq., as amended.

**Sec. 7-411. Definitions.**

For the purpose of the provisions of this article, the following words and phrases shall be construed to have the meanings herein set forth, unless it is apparent from the context that a different meaning is intended.

- (a) *Department* means the Department of Community Development.
- (b) *Director* means the Director of Community Development and Director's authorized representative.

- (c) *Medical Marihuana Facility* means a facility where primary caregivers and/or qualified patients, who are legally registered by the Michigan Department of Community Health (MDCH), may lawfully assist qualified patients, also legally registered by the MDCH, concerning the evaluation, counseling and acquisition of medical marihuana in accordance with the Michigan Medical Marihuana Act, as amended. A use purporting to be engaged in the medical use of marihuana prior to enactment of the Michigan Medical Marihuana Act or prior to being legally registered by the MDCH, shall be deemed to not be a legally established use and not entitled to legal nonconforming status under the provision of this ordinance and under state law. The facility shall not include a club, café or other design that permits consumption of medical marihuana at the facility
- (d) *Medical Marihuana Grow Operation* means a use in accordance with the Michigan Medical Marihuana Act, as amended, for the growing, cultivation, planting and manufacturing of medical marihuana.
- (e) *Public Place* means any area in which the public is invited or in which the public is permitted in the normal course of business or use of the premises.

**Sec. 7-412. License required.**

- (a) No person shall own or operate a Medical Marihuana Facility or Medical Marihuana Grow Operation in the City without first applying for and receiving a license from the city clerk's office.
- (b) Licenses are not transferrable and shall only apply to the person listed on the license.
- (c) Licenses shall be valid for a period of one year, from July 1st to June 30th.
- (f) A license shall be issued or renewed upon payment of the required fee and submission of a completed application in compliance with the provisions of this article. Application to renew a license to operate a Medical Marihuana Facility or Medical Marihuana Grow Operation license shall be filed at least 30 days prior to the date of expiration. Such renewal shall be annual and shall be accompanied by the annual fee.
- (g) Every applicant shall pay a nonrefundable application fee at the time of application for an initial or renewal license, which fee shall be set by council resolution.

**Sec. 7-413. Application**

Every applicant for a license to maintain, operate or conduct a Medical Marihuana Facility or Medical Marihuana Grow Operation shall file an application under oath with the city

clerk's office upon a form provided by the city. The application shall contain the following information:

- (a) An explanation of services to be provided and a completed medical marihuana checklist, upon form prepared by Director.
- (b) The location, mailing address and all telephone numbers where the business is to be conducted.
- (c) The name and address of applicant.
  - (1) If applicant is a corporation, the names and residence addresses of each of the officers and directors of said corporation and of each stockholder owning more than ten percent of the stock of the corporation, the address of the corporation itself, if different from the address of the Medical Marihuana Facility or Medical Marihuana Grow Operation, and the name and address of the resident agent for the corporation.
  - (2) If applicant is a partnership, the names and residence addresses of each of the partners and the partnership itself, if different from the address of the Medical Marihuana Facility or Medical Marihuana Grow Operation, and the name and address of a resident agent for the partnership.
- (d) Proof that the applicant and/or proposed employees are at least 21 years of age.
- (e) Identification of applicant and/or operator's driver's license.
- (f) Business, occupation, or employment of the applicant for the three years immediately preceding the date of application.
- (h) The Medical Marihuana Facility or Medical Marihuana Grow Operation history of the applicant; whether such person has had a business license revoked or suspended, the reason therefore, and the business activity or occupation subsequent to such action of suspension or revocation.
- (i) Proof that the applicant and/or its employees are primary caregivers under the Michigan Medical Marihuana Act.

**Sec. 7-414. Violations and penalties.**

Any person who is found to be in violation of this article shall be responsible for a misdemeanor and shall be subject to a fine of up to 90 days in jail and/or not more than \$500.00.

**Sec. 7-415. Conditions necessary.**

No license to conduct a Medical Marihuana Facility or Medical Marihuana Grow Operation shall be issued unless the city, through the Department, confirms the proposed Medical Marihuana Facility or Medical Marihuana Grow Operation complies with all of the following minimum requirements:

- (a) All provisions of the city building, plumbing, fire, electrical and health codes have been fulfilled.
- (b) There shall be no entrance or exit way which provides direct access to another type of business, residence or living quarters.
- (c) A Medical Marihuana Facility or Medical Marihuana Grow Operation shall open no earlier than 8:00 a.m. and close no later than 8:00 p.m., except staff for a Medical Marihuana Grow Operation may be at the operation as necessary to attend to the grow operation.
- (d) Except as otherwise provided by law, smoking and/or use of medical marihuana shall be prohibited in a Medical Marihuana Facility or Medical Marihuana Grow Operation, including all public places, at all times.
- (e) A Medical Marihuana Facility may provide drug paraphernalia for use, sale or lease to primary caregivers and/or qualified patients.
- (f) A Medical Marihuana Facility or Medical Marihuana Grow Operation shall not have exterior signage using the word “marihuana and/or marijuana” or any other word, phrase or picture commonly understood to refer to marihuana.
- (g) A Medical Marihuana Facility or Medical Marihuana Grow Operation shall maintain a log book identifying by date the amount of medical marihuana on the premises for each qualifying patient, keeping the qualifying patient information confidential and each primary caregiver. This log shall be available to law enforcement personnel to confirm that the Medical Marihuana Facility or Medical Marihuana Grow Operation does not have more medical marihuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marihuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marihuana Act, as amended.

**Part II. Savings Clause.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.



**Part III. Severability.**

The various parts, sections and clauses of this ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

**Part IV. Repeal.**

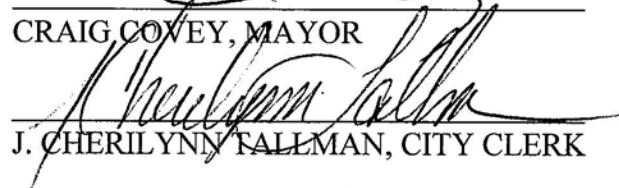
All regulatory provisions contained in other city ordinances which are inconsistent with the provisions of this ordinance, are repealed.

**Part V. Effective Date; Publication.**

This ordinance shall become effective upon publication of a notice in a newspaper circulated in the City, stating the date of the enactment and the effective date of the ordinance, a brief notice as to the subject matter of this ordinance, and such other facts as the city clerk shall deem pertinent and that a copy of the ordinance is available for public use and inspection at the office of the city clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF FERNDALE, OAKLAND COUNTY, MICHIGAN, THIS 23rd DAY OF AUGUST, 2010.

  
\_\_\_\_\_  
CRAIG COVEY, MAYOR

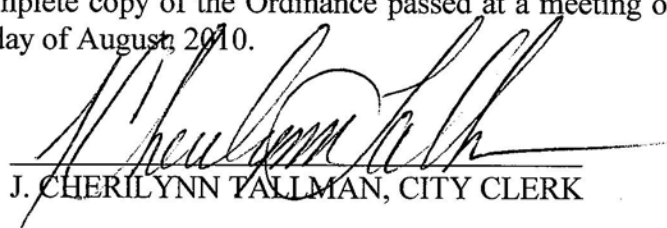
  
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\_\_\_\_\_  
J. CHERILYNN TALLMAN, CITY CLERK





# Special Land Use Application

## 1. Identification

**Applicant Name**

Address

City/State/Zip Code

Phone ( ) Fax ( )

Interest in the Property (e.g. fee simple, land option, etc.)

**Property Owner** (if other than applicant)

Address

City/State/Zip Code

Phone ( ) Fax ( )

## 2. Property Information

Street Address

Sidwell Number

Legal Description

Zoning District

Area Width Depth

Current Use(s)

Zoning District of Adjacent Properties to the:

North South East West

**3. Proposed Use** (check one and complete any additional requested information)

- Residential                      Number of Units \_\_\_\_\_
- Office
- Commercial
- Industrial                      Products to be Produced: \_\_\_\_\_
- Institutional
- Other (Describe)                      \_\_\_\_\_

**Briefly Describe the Nature of the Proposed Special Land Use**

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**4. Special Land Use General Criteria.** The applicant must provide written responses to demonstrate how the Special Land Use Standards (*Section 12.03 Review Standards*) will be satisfied by the proposed Special Land Use. Describe how the proposed special land use will:

a. Not unreasonably detract from, erode or reduce the desirability or economic viability of any residential or business uses within twenty-five hundred (2,500) feet of the proposed use.

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b. Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area. Consideration shall be given to the compatibility of the proposed use with the existing uses and the natural environment.

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c. Be served adequately by existing public services and facilities and not impose additional service demands upon the City or its anticipated future resources and; if it does, whether the developer adequately addresses any such service or facility.

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- d. Further enhance the public health, safety, welfare and economic benefit, and the municipal purposes and policies of the City, and not have any unreasonable parking or traffic impact on the surrounding area.

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- e. Be consistent with the intent and purposes of this Ordinance and the objectives of the Land Use Plan, and comply with all applicable State and Federal laws.

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**5. Special Land Use Specific Requirements.** The general standards and requirements listed above are basic to all uses authorized by a special land use approval. However, certain special land uses, because of their unique character and potential impacts on the welfare of adjacent properties and the City; require that additional specific requirements be met. Refer to the applicable district for these special standards. If specific requirements are applicable to the proposed use, a description of how each requirement has been met must be included.

**6. Site Plan Review.** In addition to the preceding questions and information, properties for which application for special land use approval is made shall also be subject to site plan review in accordance with the requirements of Article 11. Failure to obtain plan approval will constitute denial of the approved special land use.

**7. Completing the SLU Application.** The following checklist includes all documents required for the Community Development Services Director to declare the application complete and begin the SLU process. All items are due three (3) weeks prior to the Plan Commission meeting:





# Site Plan Review Application

## 1. Identification

**Applicant Name**

Address

City/State/Zip Code

Phone ( ) Fax ( )

Interest in the Property (e.g. fee simple, land option, etc.)

**Property Owner** (if other than applicant)

Address

City/State/Zip Code

Phone ( ) Fax ( )

## 2. Property Information

Street Address

Sidwell Number

Legal Description

Zoning District

Area Area Area

Current Use(s)

Zoning District of Adjacent Properties to the:

North North North North

**3. Site Plan Required Elements.** Consult Article 11 of the Zoning Ordinance to determine when a project requires site plan review. Some projects qualify for administrative review. The site plan for the proposed development shall include all of the following information when required (refer to Article 11 of the Zoning Ordinance): Place a check mark in the right column upon completion/inclusion.

<b>Application</b>	
Project title and street address.	<input type="checkbox"/>
A written project description including proposed uses of buildings and site improvements.	<input type="checkbox"/>
The names, addresses and telephone numbers of all proprietors, applicants, architects, engineers and owners'.	<input type="checkbox"/>
Written proof of ownership or option on subject property. If the applicant is not the owner, a written explanation of their legal relationship shall be submitted.	<input type="checkbox"/>
Proposed time of project completion and phasing schedule.	<input type="checkbox"/>
<b>Site Plan.</b> Site plans shall consist of an overall plan for the entire development and must be drawn to a scale of no less than 1" = 30'. Sites greater than three (3) acres shall be drawn at a scale not less than 1" = 50'. The Director may also request copies of all plans and drawings in a reduced size format. Site plans must include:	
Date of preparation of drawings and revisions.	<input type="checkbox"/>
Location map drawn at a minimum scale of 1" = 2000' with north point indicated.	<input type="checkbox"/>
Architect's, Engineer's, Surveyor's, Landscape Architect's, or Planner's seal.	<input type="checkbox"/>
Legal and common description of the site with existing and proposed lot lines, and dimensions.	<input type="checkbox"/>
Centerline, existing, and proposed right-of-way lines of any streets or alleys, and proposed and existing easements.	<input type="checkbox"/>
Zoning classification of petitioner's parcel and all abutting parcels.	<input type="checkbox"/>
Gross and net buildable area.	<input type="checkbox"/>
Percentage of lot coverage including existing buildings.	<input type="checkbox"/>
Sign locations, illumination and size. Refer to the Sign Ordinance.	<input type="checkbox"/>
Other pertinent features, including entrance details, decks, porches, fences, flag poles, or other structures.	<input type="checkbox"/>
All permanent exterior lighting locations, including ornamental lighting, type of fixtures, footcandles, mounting height and method of shielding in sufficient detail to allow determination the effect of such lighting upon adjacent properties and traffic safety. A manufacturer's cut sheet of each type of fixture proposed shall also be submitted. Except as noted below, lighting fixtures shall not exceed a height of twenty-five (25) feet. In portions of a site adjacent to residential areas, lighting fixtures shall not exceed a height of twenty (20) feet. Building, ground or roof-mounted lighting intended to attract attention to the building or use and not strictly designed for security purposes is prohibited. Temporary holiday lighting and decorations are exempt from this provision.	<input type="checkbox"/>
Outdoor trash receptacle location and method of screening.	<input type="checkbox"/>

<b>Access and Circulation.</b> Site plans must include dimensioned drawings of all existing and proposed:	
Acceleration, deceleration, passing lanes and approaches; dedicated road or service drive locations; proposed locations of driveways, access drives, street intersections; driveway locations on opposite frontage; dimensioned fire lanes, including curve radii; and surfacing materials.	<input type="checkbox"/>
Parking spaces, circulation aisles, off-street loading/unloading area, stacking spaces, signage and surfacing materials in compliance with Article 8.	<input type="checkbox"/>
Sidewalks and curbs and surfacing materials.	<input type="checkbox"/>
<b>Buildings and Structures</b>	
Location, height, and outside dimensions of all existing and proposed buildings or structures on the site, with setbacks and yard dimensions, and of all existing buildings and structures within one hundred (100) feet of the site.	<input type="checkbox"/>
Front, side and rear building elevations with all windows, lights, doors, screened roof equipment and exterior materials, including color, indicated.	<input type="checkbox"/>
<b>Utilities, Soil Erosion, Sedimentation Control, and Drainage</b>	
Location, size and design of existing and proposed service facilities above and below ground, including: (a) Water supply facilities including fire hydrants, water lines and mains. (b) Sanitary sewage disposal facilities including manholes, catch basins, and sewer lines and mains. (c) Gas, electric, telephone, fiberoptic and cable lines above and below ground. (d) Transformers, generators, utility boxes or poles, communication equipment, satellite dishes over forty-eight (48) inches in diameter, and mechanical equipment. (e) Easements. (f) Chemical and fuel storage tanks, transfer lines, and containers above and below ground.	<input type="checkbox"/>
Grading plan showing existing and finished contours at a maximum interval of two (2) feet.	<input type="checkbox"/>
Drainage plan showing storm lines, storm drains, retention and detention ponds, existing drainage courses, proposed method of site and roof drainage, soil erosion and sedimentation control.	<input type="checkbox"/>
<b>Landscaping Plan</b>	
Existing trees with greater than a 4½ inch dbh.	<input type="checkbox"/>
Proposed landscaping, including berms, buffers, screens and greenbelts, lawns, shrubs, and other live plant materials.	<input type="checkbox"/>
Method of irrigation. Refer to the Vegetation Ordinance.	<input type="checkbox"/>
Screening walls and fences, including dimensions, materials and details.	<input type="checkbox"/>
<b>Additional Requirements for Multiple Dwelling Developments</b>	
Density (dwelling units per acre) calculations.	<input type="checkbox"/>
Designation of units by type and number of units in each building.	<input type="checkbox"/>
Garage or carport locations and details.	<input type="checkbox"/>
Architectural compatibility with surrounding area. Refer to Section 5.04.	<input type="checkbox"/>
<b>Additional Requirements for Commercial and Industrial Developments</b>	
Secondary containment facilities.	<input type="checkbox"/>
Number of employees at peak usage.	<input type="checkbox"/>







# ZONING DETERMINATION REQUEST

**Following ZDR approval by the City, YOU MUST APPLY FOR A CERTIFICATE OF OCCUPANCY.**

**PROPERTY ADDRESS:** \_\_\_\_\_

**APPLICANT NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_ **CELL:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**PROPERTY OWNER NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_ **CELL/PHONE** \_\_\_\_\_

**DETAILED DESCRIPTION OF PROPOSED USE:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NUMBER OF EMPLOYEES** \_\_\_\_\_

**NUMBER OF PARKING SPACES ON SITE** \_\_\_\_\_

**APPROVED PLANS AND PERMITS  
ARE REQUIRED PRIOR TO ALTERATIONS OR CONSTRUCTION**

**FOR OFFICE USE ONLY**

Date of Request \_\_\_\_\_

Zoning Classification \_\_\_\_\_

Determination Made By \_\_\_\_\_

Business Registration Required \_\_\_\_\_

Use Allowed YES \_\_\_ NO \_\_\_

Certificate of Occupancy Required \_\_\_\_\_

Notification Date \_\_\_\_\_

Submit to Oakland County Health Dept. \_\_\_\_\_

Notified By \_\_\_\_\_

Ordinance 918 Application Required \_\_\_\_\_

**REMARKS:**

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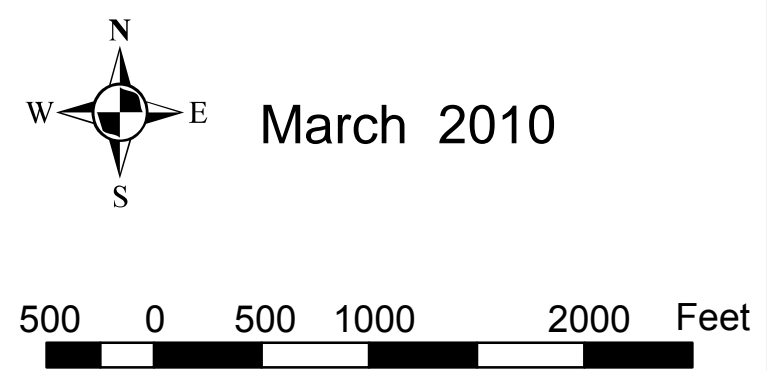
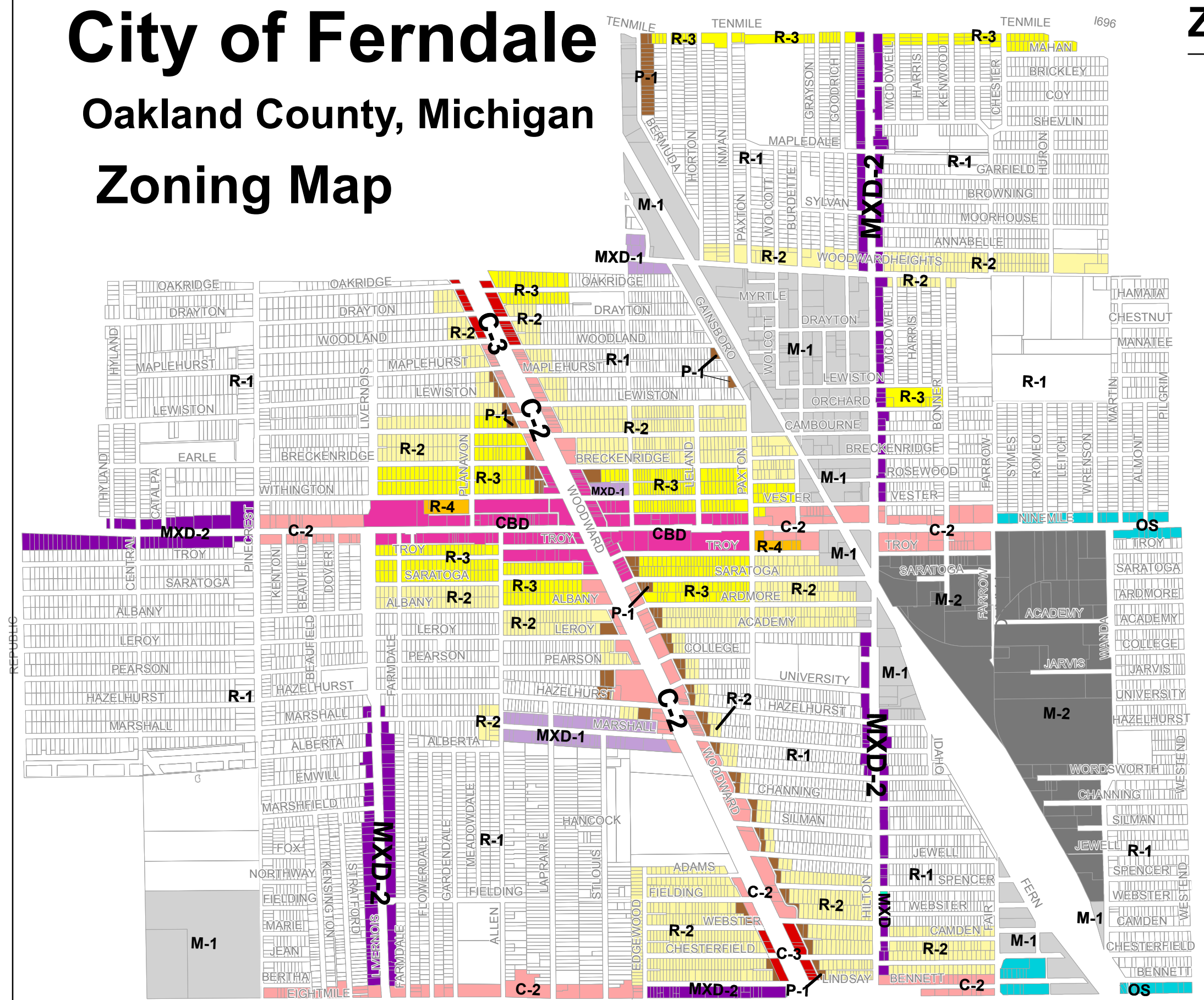
# City of Ferndale

## Oakland County, Michigan

### Zoning Map

## Zoning Districts

- R-1 Single-Family Residential
- R-2 Single/Two-Family Residential
- R-3 Single/Multiple-Family Residential
- R-4 Multiple-Family Residential
- OS Office/Service
- CBD Central Business District
- C-2 General Commercial
- C-3 Extended Business
- M-1 Limited Industrial
- M-2 General Industrial
- MXD-1 Mixed Use 1
- MXD-2 Mixed Use 2
- P-1 Vehicular Parking



Sources: Oakland County  
City of Ferndale