

BFS CANNABIS DIVISION FREQUENTLY ASKED QUESTIONS

BFS Cannabis Division Plan Review Questions

Code Questions

Q. What issues can arise from having a retail facility that has multiple floors, like a basement or second story?

A. Multistory buildings can pose several fire safety issues. NFPA 1 requires fire rated separation (vertical protection) between most stories such as a basement and first floor or from the first floor and second floor. NFPA 1 requires exits on most floors, so having the right number of exits is important. If the story only has one exit, then common path of travel, can be an issue. Email LARA-BFS-Cannabis@michigan.gov with specific questions and a plan reviewer will respond back. A plan review consultation is also available.

Q. What do facilities do when there is a code conflict/discrepancy between the Michigan Building Code (MBC) and NFPA 1?

A. The Building Official will apply their codes (MBC) and requirements, while BFS will apply their codes (NFPA 1) and requirements. This ends up with the most restrictive code being applied when there is a discrepancy. For example, the common path of travel in the Michigan Building Code is 75 feet for an industrial occupancy. The common path of travel in NFPA is 50 feet, for a non-sprinklered, industrial occupancy. In this case, NFPA is more restrictive.

Q. How often does BFS plan on updating the adopted NFPA Code that is referenced in the Cannabis Rules?

A. It depends. NFPA 1, 2021 edition is currently adopted in the Rules. Usually, the NFPA Codes are updated every three years. Sometimes there are very few changes between editions. NFPA is currently working on a new code standard called NFPA 420. The new code standard will have many changes and updated requirements for grows and processors. It is the goal of BFS to update the NFPA Code when the new standard is complete – hopefully 2027.

Q. What fire safety requirements are there for an outdoor grow?

A. There are not many fire safety requirements for the actual outdoor portion of the grow. However, the Cannabis Rules do require that after the marijuana is harvested, all drying, trimming, curing, or packaging of marijuana occur inside a building meeting all the requirements under these rules. This means that each outdoor grow has to have an occupied building onsite. The building needs to meet all the fire safety requirements such as proper egress, door hardware, lights, ceiling height, finishes, etc. A Code Spotlight on outdoor grows is available.

Q. I have a specific question about door swings but could not find the answer on the website. Where can I find out specific code answers.

A. Usually the best way is to send an email to LARA-BFS-Cannabis@michigan.gov and indicate Code Question in your Subject Line. Another way to find code answers is to go directly to NFPA's website.

NFPA 1 and NFPA 101 are available free online at [NFPA | The National Fire Protection Association](https://www.nfpa.org). They have free access to all of their codes.

Q. What is the travel distance allowed to the closest exit door for a grow facility? For a Processor? For a Retailer?

A. The travel distances to the nearest exit are different for sprinklered facilities and non-sprinklered facilities. For industrial occupancies such as growers and processors travel distance is 200 feet in a non-sprinklered industrial occupancy and 250 feet in a fully sprinklered building. Refer to Chapter 40 of NFPA 101, 2021 Edition. For a Retailer – mercantile occupancy, the travel distance is 150 feet in non-sprinklered buildings and 250 feet in a fully sprinklered building. Refer to Chapter 36 of NFPA 101, 2021 edition.

Q. What is common path of travel (CPT)? What is the CPT for a grow or processor?

A. Common path of travel is the distance an occupant can travel in a building before they get to a point where two or more egress paths are available. CPT is measured as an occupant walks around tables or furniture. For example, a grow room with only 1 door, has a CPT until the occupant reaches the door and gets to the hallway that has 2 separate directions of egress. If the grow room has rows of tables, the CPT is measured by walking up those rows and getting to the door. For grows and processors, the CPT is limited to 50 feet in a non-sprinklered building. CPT goes up to 100 feet in a fully sprinklered building. Another example for CPT is when you have a mezzanine with only 1 stair. The CPT is measured from the furthest point on the mezzanine, all the way down the stairs till the occupant reaches a point where they can go in 2 directions for egress.

Q. Where can I find the latest CO2 enrichment system requirements?

A. The latest CO2 enrichment system requirements can be found on the Code Spotlight – Carbon Dioxide. To request a Code Spotlight, send an email to LARA-BFS-Cannabis@michigan.gov and put Code Spotlight-CO2 in the Subject line. NFPA, also has all the Co2 enrichment requirements in Chapter 38 of NFPA 1. Go to NFPA 1, (2021 Edition) Section 38.5.3.

Application/Submittal Questions

Q. Why doesn't BFS Cannabis Division do plan reviews of required automatic fire suppression systems?

A. It is not in the scope of the BFS work for cannabis facilities. Cannabis facilities that have an automatic sprinkler system or a hood suppression system are required to be approved by the proper Mechanical Authority Having Jurisdiction (AHJ), such as the State Bureau of Construction Codes, the county or local official. When BFS fire inspectors are onsite, they check to make sure the fire suppression system has been installed, tested and approved by the Mechanical AHJ. During semi-annual inspections, BFS inspectors also check to assure that the system has been tested and maintained in accordance with the adopted codes and standards.

Q. Can more resources be provided during the design and construction phase of the project?

A. BFS Cannabis Division is always trying to find ways to maximize the current resources and personnel. Currently the BFS Cannabis Division has two plan reviewers dedicated to cannabis facility reviews. One process available during the design phase of your project is a BFS Plan Review Consultation. This \$155 process allows your design team to submit plans, ahead of CRA's Step 2 process. The submitted plans get a preliminary review and the goal is to answer any specific questions and find any potential code

issues during this design step. After the review, we send a letter outlining what we noticed as well as reference materials. From there we can discuss over the phone or a virtual meeting, if needed.

Plan Review Approval and Process Questions

Q. Why do I need so many different approvals?

A. BFS is only one authority having jurisdiction (AHJ). The CRA Rules are in addition to all the other requirements that a building or occupancy must go through such as approvals for Building, Electrical (including fire alarm), Plumbing, Mechanical (including fire suppression), etc. Local municipalities also have their own authority for zoning and fire department requirements.

Q. Why do I have to submit the same documents to both CRA and BFS for the same project? We are hoping that there could be a one-stop shop between CRA and BFS.

A. CRA and BFS each have their own platforms of Accela, and they are not inter-connected. BFS completes plan reviews using a third-party software system that is not part of CRA Accela. To implement that service into CRA Accela, it would be very time intensive and cost prohibitive.

Q. When do I need an Architect?

A. An architect or design team should be consulted before you begin your investment of finding an existing building or building a new facility. Michigan requires that for new construction, provide plans and specifications bearing the seal of an architect or engineer licensed in the State of Michigan as required by the *Occupational Code, PA 299 of 1980*. [MCL - Act 299 of 1980 - Michigan Legislature](#)

Q. Are plans required to be signed and sealed by a licensed architect for simple changes?

A. No.

Q. Why is the BFS Plan Review started after Step 2 CRA Licensing approval.

A. BFS doesn't have the resources to review all proposed buildings and plans that don't make it through the CRA Step 2 process. Waiting for approval from CRA allows BFS to focus their efforts on plan reviews that will go through the complete licensing process. If a facility has several questions or wants a preliminary review of their plans before the completion of CRA Step 2, then it is encouraged to submit a BFS Plan Review and request a Consultation. Consultations do come with a fee of \$155.

Q. The BFS Cannabis Division focuses on cannabis facilities, but what other facilities does BFS get involved with?

A. BFS is involved in many facilities throughout the State of Michigan. They do plan reviews and inspections for schools, childcare centers, camps, colleges, universities, dormitories, hospitals, prisons, nursing homes, homes for the aged and adult foster care facilities and a few other facilities. They also do reviews and inspections for fireworks and storage tanks. The BFS Cannabis Division is only one key part of the whole Bureau.