

REGULAR CITY OF CHEBOYGAN PLANNING COMMISSION
February 19, 2019

Present: Horntvedt, Khan-King, Kopernik, Maynard, Granger, Rogers
Absent: None
Admin: Eustice
Citizens: Greg Klinger, Sue Cheli, Clarence Roznowski, Tori Beckett and others

Granger called the meeting to order at 7:00 p.m. requesting a roll call.

Motion by Kopernik to approve minutes of January 21, second by Kahn-King, approved unanimously.

Committee Update on Master Plan Review:

Horntvedt distributed spreadsheet and gave overview of the Saturday meetings held by the subcommittee. The spreadsheet indicates things that are simple updates or corrections as well as items for discussion. Horntvedt stated a necessity for a process to measure success of goals. After much discussion, Granger noted concerns that the Master Plan should just address planning and zoning, not necessarily economic development. Horntvedt pointed out that existing plan points to economic development. Further, most plans from other communities include economic development as well. Granger indicated that he would find it easier to review if the discussion items were included in the Master Plan in draft form.

Discussion on the Port Authority and how they have become stagnant. Granger asked Eustice to follow up with port authority to see what current status is. Horntvedt questioned Eustice on whether or not there was a 10-year deadline on the port. Eustice stated that there is no reversal clause and explained that the original goal was to have an established port within 10 years. But now with the change in ownership of the property things are different. Horntvedt discussed opportunities with NOAH and other educational and testing entities that we should take advantage of soliciting.

After much discussion it was decided that Horntvedt would incorporate the changes into the master plan for review at the next meeting.

Rogers stated concern over the delay as the Master Plan is required to move forward with Redevelopment Ready initiatives. Horntvedt questioned Eustice if there was anything pressing being delayed by not having the Master Plan ready. Eustice, replied that there was not.

All commission members are to review the spreadsheet and notify Horntvedt via e-mail if there are recommendations. Horntvedt is to e-mail the draft Master Plan in sections as he completes them. Rogers indicated her willingness to help if needed.

Medical Marihuana Facility Discussion:

All members were provided with the City of Buchanan documentation pertaining to the Ordinance for Medical Marihuana Facilities. Granger stated that the ordinance was written so well that Cheboygan could simply change the name of the city and a couple of zoning letters and it would be good to go. The ordinance will be reviewed by the City Attorney. Discussion on the number of facilities that could be in the City, Buchanan allows up to 5 with same demographic regarding population. Granger thought that number may be too many, something to consider.

Kopernik questioned how the citizens of Buchanan felt about Medical Marihuana Facilities. Rogers shared information obtained from the City of Buchanan (e-mail from Buchanan attached as part of record). Kopernik would like Eustice to contact the City of Buchanan by phone to discuss this issue.

Clarence Roznowski addressed the board with regard to a Medical Marihuana Facility, he is the owner of Great Lakes Tissue and stated that he has started the process of becoming a licensed Medical Marihuana Facility. He stated that he hopes the Planning Commission will not be a hurdle. He was glad to hear of the progress that has already been made in checking into the ordinances that had already been drafted.

Rogers questioned how many jobs will be created as a result of his new venture. Roznowski replied there would probably be 10 or so to start but as the business grew there would be more. His long-term plan is to use what is now the Boat House restaurant location as a dispensary. He indicated that the licensing is a very long, expensive and tedious process much like dealing with the liquor control commission.

Kopernik asked how insurance would work, Roznowski stated he would be 100% self-insured in the medical marihuana venture.

Discussion on number of areas above the 45th parallel that have "opted out" of medical marihuana. Kahn-King questioned the deadline to opt out. Eustice thought the deadline was January 1, 2019.

Granger is to have the ordinance relating to medical marihuana facilities ready in draft form by the next Planning Commission meeting scheduled for March 18, 2019. He questioned whether the Planning Commission had to have the public hearing or if City Council would hold it. Eustice stated that either way was fine.

Staff Report:

Parks and recreation plan has been submitted. Won't know until March if it approved. Will be writing many grants. Working closely with the DNR.

Kopernik questioned Eustice on current status of Meijer coming to Cheboygan. Eustice stated that a year ago Meijer representatives said ground would not be broke any earlier than 2021. He stated there is still a lot to be done, the 425 needs public comment and Meijer will need to submit a new site plan as they are only good for one year.

Horntvedt noted that the mention of a site plan triggered his memory and he stressed the importance of trees and appropriate lighting in site plans. He would like to see a list of approved tree species and a light ordinance. He mentioned the Pellston airport and what a difference lighting can make with regard to light pollution in our Dark Sky.

There were no public comments at this time.

Horntvedt motioned to adjourn the meeting, Kopernik seconded. Unanimous approval.

Meeting adjourned at 8:16 p.m.

Respectfully submitted by,

Linda J. Rogers, Secretary
City of Cheboygan Planning Commission

The following information is an excerpt of an e-mail sent to Linda J. Rogers by Debra Patzer of the City of Buchanan, Michigan. This information was read to the Planning Commission at their February 18, 2019 meeting. This document is being provided to become part of the permanent record of the Planning Commission.

...Regarding Redbud Roots, not only are they a good neighbor, they are a world class operation. They have a professional team of experts in all the fields needed to create and operate a successful medical marihuana business – attorneys, construction contractors, business managers, scientists, etc. I can't recommend them highly enough. Regarding opposition to them, we did not have opposition to them as an individual entity; they were included in the opposition to medical marihuana in general. They presented well at both the Planning Commission meetings for their Special Use applications, and their applications were very professionally done – they have set the standard for us when we review MMF Permit Applications.

Regarding opposition, we had numerous public meetings, both in front of the City Commission and also the Planning Commission. At our public meetings, we stated that we wanted to hear from city residents and community stakeholders first and foremost. We had emotional testimony from both those for and those against. Interestingly, the people who were in favor were a lot of veterans, cancer patients, and those with diseases that cause chronic pain and nausea. Most of the opposition was from people who were opposed to marihuana in general and there was a lot of fear of the unknown. There has been no opposition to Redbud Roots from any citizen or any of our City Staff who reviewed their application. The City Commission unanimously approved their MMF Permit applications.

Our Medical Marihuana Facility Permit Ordinance is 22 pages and it was created to function not only as the law, but also as a guidebook, and we tried to tie it as closely as possible to PA 281 of 2016. It was a lot of work for us, and the State has changed their mind a few times about what they require, and what they will allow, so we've already amended our original ordinance. In the Ordinance we clearly state what is required for a MMF Permit Application, and that incomplete applications would not be accepted. We also list our operating standards for each type of MMF in an effort to address concerns such as odor, hours of operation, signage, etc. It may be overkill, but we wanted to be comfortable that we were thorough with our process so that when MMF applicants that we approved went to the State for their MMF license the State could see that we had done our homework.

We also amended our Zoning Ordinance to allow Medical Marihuana Facilities as Special Uses rather than permitted uses. MM Growers, Processors, Safety Testing and Secure Transporters are allowed as Special Uses in our Light and Heavy Industrial Districts. Provisioning Centers (dispensaries) are allowed as Special Uses in our Central Business District and general Commercial District. The CBD is our traditional downtown, with older buildings (we're actually on the National Register) and public parking, while the Commercial District is our newer commercial district and is more automobile oriented, with on site parking for each business. We separated all the medical marihuana manufacturing uses from the dispensaries because the law mandates growers to be zoned industrial (or agricultural in townships/municipalities with agriculturally zoned properties), and we felt that growers, processors, safety testing and transport should all be together. We did not want commercial activity in our industrial districts. After we approved the Zoning Ordinance amendment, the State decided to allow co-location of growers, processors and provisioning centers, and we still do not.

So now we are trying to stay informed with both the changes to PA 281 that the Legislature has made, as well as understand the MRTMA.