

CITY OF CHARLEVOIX PLANNING COMMISSION MEETING MINUTES
Wednesday, November 2, 2011 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, Michigan

A) CALL TO ORDER

The meeting was called to order by Chairman John Hess at 7:00 p.m.

B) ROLL CALL

Commissioners Present: Larry Boog, Dan Buday, Sherm Chamberlain, Judy Clock, Becky Doan, John Elzinga and John Hess
Commissioners Absent: Francis (Brownie) Flanders (excused) and Toni Felter (excused)
Staff Present: City Planner Mike Spencer

C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST – None.

D) APPROVAL OF AGENDA

The Commission approved the agenda as presented.

E) APPROVAL OF OCTOBER 10, 2011 MINUTES

The Commission reviewed the October 10, 2011 minutes and asked that minor changes be made to the proposed minutes to correct a couple of typos.

Motion made by Commissioner Buday and seconded by Commissioner Chamberlain to approve the October 10, 2011 minutes as amended. Motion was adopted by unanimous voice vote.

F) CALL FOR PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS - None

G) OLD BUSINESS

1. Review Medical Marijuana Overlay Map and Draft Ordinance

City Planner Mike Spencer reviewed his memo with the Commission. He also reviewed the proposed overlay maps with the Commission. The Commission reviewed the maps.

2. Planning Commission questions/discussion

Commissioner Boog asked if the Library was included in the map. The Planner advised the Commission that the map has been amended to include the Library.

The Commission discussed the maps. Commissioner Buday asked if the maps should include a 1000 foot buffer around all schools/churches, instead of the 500 foot. The Planner advised the Commission that if we used a 1000 foot buffer on all uses, the entire City would be excluded. There would be no allowable areas and the City would be vulnerable to litigation. The Commission agreed that there should be a 1000 foot buffer around all schools. The Commission discussed if beaches should be included in the exclusionary area as that is an area where children congregate. The Commission discussed if the map should exclude the entire lot if a portion of the lot was within the 500 foot buffer area or if only a portion of the lot should be excluded.

The Commission discussed if day care centers should be included in the buffered area. The Commission asked that the Planner research the number of licensed day care centers in the City and have a map showing their location at the next meeting. The Commission discussed the necessity of updating the Medical Marijuana Overlay Maps on a regular basis to include new day care operations and to keep track of the active growing operations in the City. The Commission agreed that the permit for growing operations should be an annual permit. The Commission discussed the proposed ordinance.

3. Call for Public Comments

Lynette Grams addressed the Commission. She advised the Commission that the State of Michigan does not consider a day care center as a school. The State would issue a day care license to a residence located next to a liquor store. She also voiced support that the entire property be excluded if any part of lot was located within the 500 foot buffer area.

4. Motion to Set Public Hearing

Motion made by Commissioner Buday and seconded by Commissioner Clock to set a public hearing for December 12, 2011 at 7:00 p.m. to consider the Medical Marijuana Ordinance. Motion was adopted by a unanimous voice vote.

H) NEW BUSINESS – None.

I) STAFF UPDATES

1. Discussion on Zoning Board of Appeals Membership

The Commission discussed whether one of their members should serve on the Zoning Board of Appeals. There was no one on the Commission who wishes to serve on the Zoning Board of Appeals. It was agreed that the seat should be filled by the City Council by a non-Planning Commission member.

2. Parks and Recreation Plan

The Planner advised the Commission that the City Council will be reviewing the Parks and Recreation Plan at its November 21st meeting. The Commission was given a copy of the plan for their review and comment.

J) REQUEST FOR NEXT MONTH'S AGENDA OR RESEARCH ITEMS – None.

K) ADJOURNMENT

Motion made by Commissioner Clock and seconded by Commissioner Elzinga to adjourn. Motion adopted by unanimous voice vote.

The meeting was adjourned at 8:03 p.m.

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John Hess, Chairman

Linda Jo A. Weller, Recording Secretary

Carol A. Ochs, City Clerk