City of Allegan
Planning Commission
Griswold Auditorium – 401 Hubbard Street, Allegan MI 49010
Monday, March 18, 2019
6:00PM

AGENDA

1. Call to Order
2. Attendance
3. Approval of the Minutes of the Previous Meeting
4. Public Comment
5. Public Hearings
   5A.1 – Special Use Permit Application- 805 Marshall
   5A.2 – Medical and Adult Marihuana Establishment Discussion
6. Site Plan Reviews
7. Special Presentations
8. Discussion
9. Staff/Commission Comments
10. Adjournment
1) Call to Order

The meeting was called to order at 6:00 pm.

2) Attendance

   Present: Chair Brad Burke, Rachel McKenzie, Charles Tripp, Nancy Ingalsbee, Julie Emmons

   Absent: Cindy Thiele

   Others Present: Jordan Meagher, Community Development Coordinator, Lori Castello of PCI, Joe Dye, City Manager

Nancy Ingalsbee, supported by Rachel McKenzie, made a motion to excuse the absence of Cindy Thiele. Motion passed 6-0.

3) Approval of Previous Meeting Minutes

Motion to approve the minutes from the February 4, 2019 special meeting was made by Rachel McKenzie, and supported by Nancy Ingalsbee. Motion passed 5-0, with Morton abstaining due to absence from the meeting.

4) Public Comment

No public comments were heard.

5) Public Hearings

6) Site Plan Reviews
8A.1 – Recreational Marihuana Discussion

At their last council meeting, the Allegan City Council voted to opt out of the new state law that would allow recreational marihuana facilities to become established within the Allegan city limit. The Council directed the Planning Commission to begin studying the different types of marihuana establishments, along with the effects that recreational marihuana has had within other communities. Council also directed the Planning Commission to hold at least one public hearing to engage the public on the matter, and submit a report with a recommendation to Council by December 1, 2019.

At the Planning Commission meeting, City Manager Joel Dye gave an overview of the state law, the seven types of marihuana facilities, and the State of Colorado studies that are currently viewed as the most trusted sources of information on the matter.

After some discussion, the Planning Commission decided that they would like to hold a public hearing to engage the public at their next meeting in order to receive feedback on the subject from Allegan residents. The public hearing would take place on March 18, 2019, and no decisions will be made.

Motion by Julie Emmons, supported by Tom Morton, made a motion to schedule a public hearing at the March 18, 2019 Planning Commission meeting to receive feedback from the public on recreational marihuana facilities in Allegan. Motion carried 6-0.

9) Staff/Commission Comments

10) Adjournment

Meeting was adjourned at 7:21pm.

Respectfully submitted by
Jordan Meagher, Community Development Coordinator
MEMORANDUM

TO: City of Allegan Planning Commission

FROM: Lori Castello, Zoning Administrator

DATE: March 6, 2019

RE: 805 Marshall- Special Use Permit

The Planning Commission is scheduled to hear a request from Lucy and Daryl Lamar, interested parties at 805 Marshall Street for a Special Use Permit to operate an outdoor sales lot in the C-2 Zoning District.

**Property Information**

This property is located at 805 Marshall Street, Allegan, MI, also known as Permanent Parcel Number 03-51-310-019-00. Currently this property is Zoned C-2 General Commercial District. The property is approximately .54 acres of land area, with an existing 1200 square feet building including an office/retail/waiting area and two auto service bays. The applicants intend to continue the existing use of providing oil change services.

**Information provided by Applicant**

The applicant has completed the application for Special Use Permit and provided a basic narrative of the proposed use. No site plan changes are proposed; therefore a site plan has not been included. I have attached an aerial photo of the parcel for your reference.

**Section 402.01: Outdoor Sales Lots:** Permitted by Special Use in the C-2 Zoning District, subject to the requirements of Article 17.

**Section 1707.22 Outdoor Sales Lots:**

A. When a permanent building is not located on the site, one temporary building less than 1500 square feet is permitted but must be located adjacent to the rear setback line, a minimum of forty (40) feet from the front setback line. **N/A- There is a permanent building on site and there are no plans for a temporary building on site.**

B. One (1) directly adjacent parcel may be utilized for additional display, storage or parking with no required building, provided it meets the following requirements:

1. The additional parcel is not located on a corner lot.
2. Only one curb cut per right-of-way frontage is permitted.
3. Landscape planting as deemed appropriate and required by the Planning Commission shall be provided.
4. The adjacent parcel is no greater than 50% larger than the parcel housing the principal structure.
5. Maximum impervious site coverage of 70% is permitted, an additional 20% may be Semi-Pervious.
6. No additional signage is permitted associated with this accessory lot.

Section B in its entirety does not apply as there is no application for this use including adjacent parcels.

C. An Outdoor Sales Lot and associated parcel shall not be located adjacent to another Outdoor Sales Lot. There are no outdoor sales lots adjacent to this parcel.
D. Automobile and truck sales; automobile, truck and trailer rental; boat and recreational sales and rental; and manufactured home dealerships shall comply specifically with the following standards:

1. General Conditions:
   a. All permanent storage of material, merchandise and equipment other than liquid fuel and automobiles for sale shall be within a building, except as otherwise permitted in this section. There is no plan for outdoor storage other than vehicles for sale.
   b. Accessory buildings may be permitted provided they are in keeping with the general character of the main building as determined by the Planning Commission. There are no accessory buildings proposed.
   c. All lubrication, repair and servicing equipment shall be within the building. The applicant understands and agrees to this condition.
      All repair work shall be done within the building. The applicant understands and agrees to this condition.
   d. No floor drains in oil change area shall be connected to the sanitary sewer system. The existing building was constructed for this use which is not changing; therefore this provision is not applicable.
   e. All floor drains in repair, service or wash areas shall be equipped with separator systems that comply with federal and state regulations. The existing building was constructed for this use which is not changing; therefore this provision is not applicable.

2. Design Requirements.
   a. Relation to certain land uses. No buildings associated with automobile and truck sales; automobile, truck and trailer rental; boat and recreational sales and rental; and manufactured home dealerships shall be erected within twenty five (25) feet of any residential zoning district or residentially -used lot; and not within three hundred (300) feet of any of the following uses or structures: a public or private school; a church or other place of worship; a hospital; a public library; public art museum or other public building or structure used or intended to be for motion picture, theatrical or operatic productions, or for public entertainment; a public playground or civic center; or a fire house or fire station. The building’s closest residentially used neighbor is 715 Marshall. The building lies approximately 26 feet from this property line. There are none of the listed uses as outlined above within three hundred (300) feet of this parcel.
b. Curb cuts. Curb cuts shall be between twenty-four (24) and thirty (30) feet at the property line (driveway openings) **The existing drive, which is approximately 35 feet wide, will continue to be used.**

c. Lighting and screening (fences). All lighting and screening shall comply with the requirements of Section 1615. Provided, however, where the nature of the business requires the storage of vehicles for repair and parts for more than ninety (90) days, then the following screening requirements shall apply. Storage areas for said vehicles shall be limited to side yards and rear yards and shall have an artificial wall or fence of sufficient density and compactness to screen the storage area from view of occupants of adjoining premises, and maintained in a neat and attractive manner, commensurate with the adjoining premises. The fence in area shall not exceed fifty (50) percent of the side or rear yard available for such storage with a maximum storage area not to exceed two hundred (200) percent of the building area. Where the nature of the business is limited to work in process on vehicles which are repaired and made operable within ninety (90) days, then the only screening required shall be as set forth in Section 1615. **The lighting and screening does not have any proposed changes. There will be no long-term storage (90+ days) of inoperable vehicles on site.**

d. Minimum frontage and area. The minimum acceptable frontage shall be one hundred (100) feet and the average lot depth shall be at least one hundred (100) feet. **This parcel is approximately 120 feet wide by 200 feet deep.**

e. Minimum setback. The building shall be set back a minimum of forty (40) feet from the street right of way, and not less than twenty-five (25) feet from any side or rear lot line adjoining a residential district or use. **The existing building lies approximately 50 feet from the road right of way, 26 feet from the closest side lot line and 140 feet from the rear lot line.**

f. Driveway location. Driveways shall be a minimum of twenty (20) feet from street intersections; said distance shall be measured from the point of intersection of intersecting street rights of way. No driveway shall be located nearer than ten (10) feet to any abutting properties. **The driveway lies at least 675 feet from the nearest adjacent intersection, and directly across Marshall from the intersection of Marshall and Bridge Road. The driveway is approximately 20 feet from the nearest side lot line. (My understanding of this requirement would be distance in relation to intersections on the same side of the road due to concerns of traffic controls for access, and therefore I am of the opinion that this provision is met.)**

 g. Pump islands. Pump islands shall be located a minimum of twenty-five (25) feet from any public right of way and twenty-five (25) feet from any side or rear lot line. Not applicable as there are no existing or planned pump islands.

h. Driveways, service areas, and parking areas. These shall be provided with pavement having an asphaltic or cement binder so as to provide a permanent durable and dustless surface and shall be so graded and drained as to dispose of all surface water accumulated within the area. **There are no proposed changes to the existing lot.**
Section 1801.01 Standards for consideration of Special Uses (General)
The review of a special use shall consider the following:

A. The general safety, health, and welfare of the community at large, this shall include:
   1. Accessibility of the property in question to fire and police protection. The proposed use will continue in an existing structure. No barricades or other obstacles will be constructed which would cause a change in accessibility.
   2. Traffic conditions creating or adding to a hazardous situation. The proposed use does not affect pedestrian or vehicle traffic flow in any way.
   3. Transportation design requirements if any, which will be needed to accommodate any traffic impact for the use intended; and No additional traffic will be created over and above that of any use permitted by right within the C-2 zoning district.
   4. Appropriateness of the location, nature and height of the proposed use to the size, type, and kind of buildings, uses, and structures in the vicinity and adjacent properties, including the safety and convenience of people therefrom. Section 1707.22 (above) permits outdoor sales lots within the C-2 zoning district subject to the requirements therein.

B. Any potential decrease in the market value of adjacent buildings, uses and structures which are permitted by right under current zoning if the proposed use is granted; No negative impacts on market value are foreseen at this time- to the contrary, a commercial building that is occupied and in use has a positive impact on adjacent commercial properties.

C. Harmony with the Comprehensive Planning Program of the City of Allegan. This considers whether the location and size of the proposed use, the nature and intensity of the activities involved, the size of the site with respect to existing and future streets (giving access to it), parks and drainage systems will be in harmony with the Comprehensive plan of the City of Allegan and the character of land use which is intended by said city Plan for the area or district in question; By making use of an existing building that supports commercial activity, the proposed use meets the goals of the Master Plan.

D. Impact from the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the City of Allegan Comprehensive Plan; No exterior changes are proposed.

E. Any hazards arising from storage and use of flammable fluids; and No storage or use of flammable fluids is proposed.

F. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more that would be the operations of any use permitted by right for that district wherein the special use is proposed. The proposed operation shall take place upon the parcel as currently developed and subject to the standards of 1707.22 which limits these same potential nuisances.

Summary: The Applicant is asking for approval of a Special Use Permit based on the existing site plan. Should the Planning Commission choose to approve the Special Use, any conditions of approval should be reflected in the minutes. The above memo includes my findings of fact for the Standards of Approval. I am attaching a blank Findings of Fact worksheet for you. It is my hope you will consider these standards individually prior to the meeting and discuss at that time. If the Planning Commission
as a whole determines that the proposed use meets the Standards for Special Use, recommendation along with any conditions noted for approval is indicated. If the Standards are not met, then recommendation for denial is indicated. In either situation, a completed Findings of Fact by the PC as a whole should accompany any recommendation to the City Council who has final authority to approve a Special Use Permit.

**Conclusion:** I hope the information provided is helpful to you as you consider this Special Use request. If you have any questions or concerns please do not hesitate to contact me and I will assist in any way that I am able. You may reach me by phone at either (616) 877-2000 Ext. 412 or 1-800-628-3333 or email at lori@pcimi.com.

Sincerely,

[Signature]

Lori Castello
Zoning Administrator
CITY OF ALLEGAN PLANNING COMMISSION
FINDINGS OF FACT- OUTDOOR SALES LOT

Section 1707.22 Outdoor Sales Lots:

A. When a permanent building is not located on the site, one temporary building less than 1500 square feet is permitted but must be located adjacent to the rear setback line, a minimum of forty (40) feet from the front setback line.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

B. One (1) directly adjacent parcel may be utilized for additional display, storage or parking with no required building, provided it meets the following requirements:

1. The additional parcel is not located on a corner lot.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

2. Only one curb cut per right-of-way frontage is permitted.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

3. Landscape planting as deemed appropriate and required by the Planning Commission shall be provided

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

4. The adjacent parcel is no greater than 50% larger than the parcel housing the principal structure.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

5. Maximum impervious site coverage of 70% is permitted, an additional 20% may be Semi-Pervious.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

6. No additional signage is permitted associated with this accessory lot.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

C. An Outdoor Sales Lot and associated parcel shall not be located adjacent to another Outdoor Sales Lot.

The proposed use ___ Complies ___ Does Not Comply.

Reasons:

D. Automobile and truck sales; automobile, truck and trailer rental; boat and recreational sales and rental; and manufactured home dealerships shall comply specifically with the following standards:

1. General Conditions:
c. Lighting and screening (fences). All lighting and screening shall comply with the requirements of Section 1615. Provided, however, where the nature of the business requires the storage of vehicles for repair and parts for more than ninety (90) days, then the following screening requirements shall apply. Storage areas for said vehicles shall be limited to side yards and rear yards and shall have an artificial wall or fence of sufficient density and compactness to screen the storage area from view of occupants of adjoining premises, and maintained in a neat and attractive manner, commensurate with the adjoining premises. The fence in area shall not exceed fifty (50) percent of the side or rear yard available for such storage with a maximum storage area not to exceed two hundred (200) percent of the building area. Where the nature of the business is limited to work in process on vehicles which are repaired and made operable within ninety (90) days, then the only screening required shall be as set forth in Section 1615.

The proposed use ____ Complies ____ Does Not Comply.

Reasons:

d. Minimum frontage and area. The minimum acceptable frontage shall be one hundred (190) feet and the average lot depth shall be at least one hundred (100) feet.

The proposed use ____ Complies ____ Does Not Comply.

Reasons:

e. Minimum setback. The building shall be set back a minimum of forty (40) feet from the street right of way, and not less than twenty five (25) feet from any side or rear lot line adjoining a residential district or use.

The proposed use ____ Complies ____ Does Not Comply.

Reasons:

f. Driveway location. Driveways shall be a minimum of twenty (20) feet from street intersections; said distance shall be measured from the point of intersection of intersecting street rights of way. No driveway shall be located nearer than ten (10) feet to any abutting properties.

The proposed use ____ Complies ____ Does Not Comply.

Reasons:

g. Pump islands. Pump islands shall be located a minimum of twenty five (25) feet from any public right of way and twenty five (25) feet from any side or rear lot line.

The proposed use ____ Complies ____ Does Not Comply.

Reasons:

h. Driveways, service areas, and parking areas. These shall be provided with pavement having an asphaltic or cement binder so as to provide a permanent durable and dustless surface and shall be so graded and drained as to dispose of all surface water accumulated within the area.
D. Impact from the applicant's proposed use, its location and intensity and the height of its buildings, walls, fences and other structures upon the appropriate character of development intended for the area as deemed desirable by the City of Allegan Comprehensive Plan;

The proposed use  ____ Complies  ____ Does Not Comply.

Reasons: ________________________________

E. Any hazards arising from storage and use of flammable fluids; and

The proposed use  ____ Complies  ____ Does Not Comply.

Reasons: ________________________________

F. That the operations in connection with any special use shall not be environmentally objectionable to nearby properties by reason of noise, fumes, pollution, vibration, or lights to an extent which is more that would be the operations of any use permitted by right for that district wherein the special use is proposed.

The proposed use  ____ Complies  ____ Does Not Comply.

Reasons: ________________________________

Based on the above Findings of Fact, the Planning Commission recommends to City Council that the proposed Special Use be:

____ Approved  
_____ As Presented  
_____ With the Following Conditions:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

____ Denied

Planning Commission Chair Signature: ___________________________ Date: __________
APPLICATION FOR
SPECIAL USE PERMIT

CITY OF ALLEGAN
112 LOCUST STREET
ALLEGAN, MI 49010

I. APPLICANT INFORMATION

NAME: Lucy Lamar | Daryl Lamar
ADDRESS: 290 Hope St
PHONE: (616) 299.9259 EMAIL: daryl.lamar@gmail.com

II. PROPERTY INFORMATION

PROPERTY ADDRESS IF DIFFERENT: 805 Marshall St Allegan
PARCEL NUMBER: 03-51-

III. DESCRIPTION OF PROPOSED USE:

see attach

IV. AFFADAVIT:

I CERTIFY THAT I AM THE (CIRCLE ONE) OWNER, LESSEE, AUTHORIZED AGENT, OF THE ABOVE REFERENCED PARCEL AND THAT THE ABOVE INFORMATION IS TRUE.

SIGNATURE

DATE

FOR OFFICE USE ONLY

Date Received: 2/22/2019
Paid: CKH6264
Planning Commissioner Hearing Date: 3-18-19
Results:
City Council Hearing Date: Results:

Special Use Permit Fee is $250
2/22/2019

To the City of Allegan:

My name is Daryl Lamar. My wife Lucy and I are seeking an application for Special Use to operate a motor vehicle sales business at 805 Marshall Street in the City of Allegan.

My plan is to open an auto sales lot, with approximately 10-15 vehicles on site at any given time. The existing building will be used for the sales office and servicing our autos. I will also be using the existing bays to do oil changes. I will have approximately 3 employees on site at the most at any given time.

My proposed hours of business will be from 8 am to 8 pm Monday through Friday, with reduced hours on Saturday and Sunday. I will likely operate less hours than I am proposing but would like to be able to be open during these hours in the event that my business is successful.

Thank you for your consideration,

Daryl Lamar
CITY OF ALLEGAN

PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE the Planning Commission of the City of Allegan, Michigan, shall hold a public hearing on Monday, March 18, 2019 at 6:00 p.m. at the Griswold Auditorium, 401 Hubbard Street, Allegan, Michigan for the following purposes:

1. To consider a request from Daryl and Lucy Lamar, interested parties, for a Special Use Permit to operate an Outdoor Sales Lot for vehicle sales at 805 Marshall Street, also known as Permanent Parcel Number 03-51-310-019-00 per Section 402.01 of the City of Allegan Zoning Ordinance.

2. To receive public comment and input regarding Medical and Adult Use (Recreational) Marihuana facilities within the City of Allegan. The purpose of this meeting is to hear public comments prior to the consideration and drafting of any ordinances pertaining to said uses. After public input has been heard the Planning Commission will review extensive research and documentation regarding such facilities, as well as comments, concerns and questions from the public for its use to determine whether to permit any or all of the facilities as outlined and provided for by the MMFLA of 2016 and the MRTMA of 2018.

A copy of the applications and materials being reviewed by the Planning Commission is available for viewing at City Hall during regular business hours. Materials may also be accessed on our website at http://www.cityofallegan.org/newslist.php. Questions and comments regarding this petition may be submitted prior to the Public Hearing to the Community Development Coordinator at City Hall, 112 Locust, or by calling 269-673-5511 ext. 231

PLEASE TAKE FURTHER NOTICE that the City of Allegan will provide necessary, reasonable auxiliary aids and services at the hearing to individuals with disabilities upon five (5) days written notice to the City Clerk at 112 Locust Street, Allegan, MI, 49010 or by phone 269-673-5511.

BRAD BURKE, CHAIRMAN

CITY OF ALLEGAN PLANNING COMMISSION

269-673-5511
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MEMORANDUM

TO: Allegan Planning Commission
FROM: Jordan Meagher, Community Development Coordinator
RE: Public Hearing for Medical and Adult Marihuana Facilities in Allegan
DATE: March 15, 2019

Summary
It is requested that the Planning Commission, under the direction of City Council, hold a public hearing to receive feedback from the public on the possible establishment of medical and adult marihuana facilities within the Allegan city limits.

No decisions regarding these establishments will be made at this meeting.

Background
On Tuesday November 6, 2018 the voters in the State of Michigan voted to legalize recreational marihuana with 57% approval, and in the City of Allegan, the proposal passed with 58% approval. Since this proposal passed state wide, the City was asked to make a decision as to whether the City should opt in and allow marijuana establishments or if the City should opt out and not allow marihuana establishments.

The term “marihuana establishments” encompass seven types of businesses.

1. Growers – Grow and package marijuana for sale to processors or provisioning centers.
2. Processors – Extract resin from marijuana or create marijuana-infused products to sale to provisioning centers.
3. Provisioning centers – Sell marijuana to patients or caregivers.
5. Safety compliance facilities – Test marijuana for contaminants and proper chemical levels.
6. Marihuana retailer - Sells or otherwise transfers marijuana to marihuana establishments or to individuals over 21.
7. Marihuana microbusiness – Cultivates up to 150 plants, processes marijuana from those plants, and sells or transfers it to individuals over 21 or to safety compliance facilities.

At their January 28th meeting, the Allegan City Council passed ordinance 475, which established the City’s position to opt out. City Council then directed the Planning Commission to begin studying the City’s options for authorizing and regulating marihuana establishments under the new law, which includes holding at least one public hearing to seek public input, and then preparing and submitting a report to City Council by December 1, 2019 with a recommendation on how the city should proceed with this issue. Ordinance 475 will afford the city the opportunity to make sure it has a good understanding and solid foundation on how it wants to proceed while at the same time ensures no marihuana establishment can open within the City of Allegan just in case the State of Michigan gets the licensing portion of the of the program up and running prior to the City of Allegan making a formal decision.
Recommend
It is recommended by the Planning Commission, with direction from City Council, hold a public hearing to receive feedback from the public on the possible establishment of medical and adult marihuana facilities within the Allegan city limits.

Attachments:
Ordinance 475
CITY OF ALLEGAN
ALLEGAN COUNTY, MICHIGAN

ORDINANCE NO. 475

AN ORDINANCE TO ADD A NEW CHAPTER 32 TO THE ALLEGAN
CITY CODE OF ORDINANCES TO PROHIBIT MARIHUANA
ESTABLISHMENTS AND TO DIRECT THE PLANNING COMMISSION
TO STUDY FUTURE OPTIONS

The City of Allegan ordains:

Section 1. Addition. A new Chapter 31, entitled “Marihuana Establishments,” is hereby added to the Allegan City Code of Ordinances to read as follows:

Chapter 31
Marihuana Establishments

Sec. 31-1. Title.
This chapter shall be known as and may be cited as the City of Allegan Marihuana Establishments Ordinance.

Sec. 31-2. Definitions.
Words used in this chapter shall have the same meanings as in Initiated Law 1 of 2018, also known as the Michigan Regulation and Taxation of Marihuana Act, unless the context clearly indicates otherwise. The remainder of this chapter refers to Initiated Law 1 of 2018 as the MRTMA.

Sec. 31-3. Marihuana establishments prohibited.
Marihuana establishments are prohibited in the City until such time as the City Council amends this chapter to allow one or more establishments.

Sec. 31-4. Violations and penalties.
(a) Any person who disobeys, neglects, or refuses to comply with any provision of this chapter or who causes, allows, or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this chapter is deemed to be a nuisance per se.

(b) A violation of this chapter is a municipal civil infraction, for which the fines shall not be less than $100 nor more than $500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the City to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the City incurs in connection with the municipal civil infraction.

(c) Each day during which any violation continues shall be deemed a separate offense.

Sec. 31-5. Study by the Planning Commission.
As of the adoption of this chapter, the legalization of marihuana is a new phenomenon in Michigan that presents unique opportunities and challenges for local governments. The intent of this chapter is to prohibit marihuana establishments on at least a temporary basis in order to allow further study of the issue. The Planning Commission is hereby directed to:
(a) Study the City’s options for authorizing and regulating marihuana establishments under the Act;
(b) Hold at least one public hearing to seek input from the public; and
(c) Prepare and submit a report to the City Council by December 1, 2019, with a recommendation as to whether the City should authorize one or more types of marihuana establishments. If the Planning Commission recommends authorization, the report shall outline, in general terms, recommended regulations.

Section 2. Publication and Effective Date. The City Clerk shall cause this ordinance to be published in a newspaper of general circulation in the City, and the ordinance shall be effective 20 days after enactment or upon publication, whichever is later.

YEAS: ___________________________________________________________ NAYS: __________________

CERTIFICATION

This is a true and complete copy of Ordinance No. ________ adopted at a regular meeting of the Allegan City Council held on __________, 2019.

Rachel McKenzie, Mayor

Danielle Bird, Clerk