

**PROCEEDINGS OF THE
BROWN CITY PLANNING COMMISSION
Thursday – September 3, 2020**

MEETING CALLED TO ORDER BY CHAIRMAN VANDEWARKER AT 7:03 PM.

PRESENT: Chairman Todd Vandewarker; Commissioners: John Bell, Mike Frey, Robert Jacobson, Jeff Liebler, Ross McIvor, and Mayor Julie Miller; City Manager Clint Holmes.

ABSENT: Commissioners Jay Berry and Doug Mitten; City Clerk Juanita Smith.

GUESTS: None.

CORRECTION & APPROVAL OF MINUTES:

Motion by Commissioner McIvor, second by Commissioner Bell, to accept the minutes of the Regular Planning Commission Meeting of June 4, 2020 as presented. Motion carried.

PERSONAL APPEARANCES: None scheduled.

PUBLIC QUESTIONS & COMMENTS: None.

UNFINISHED BUSINESS: None.

PETITIONS & COMMUNICATIONS:

- 1. Proposed Brown City Ordinance Section 152.400:** An Ordinance of the City of Brown City amending the City of Brown City Title XV Land Usage Code by adding Section 152.400 by providing for Cultivation or Other Medical Use of Marihuana as a Medical Marihuana Home Occupation in Single-Family Dwellings, their location, definitions, conditions and standards, and civil forfeiture, to provide for violations and penalty, severability, and effective date.

The City Manager explained that the City Attorney recommended to the City Council that they consider an ordinance concerning where Licensed Caregivers under the Michigan Medical Marihuana Act (MMMA) could cultivate their product. He further stated that the Michigan Supreme Court had determined that the proposed ordinance was in keeping with the MMMA. The City Council determined that since this is a land use question, that the Planning Commission should review, and if appropriate, schedule a Public Hearing. The Planning Commission discussed the proposed ordinance and noted that it would have no impact on the Michigan Regulation and Taxation of Marihuana Act (MRTMA) (recreational) or on a qualified patient without a caregiver under the MMMA. It will still be unlawful under this proposed ordinance to establish or operate a for-profit or nonprofit marijuana dispensary, collective or cooperative within the City, even if such use is intended for the medical use of marijuana.

2. **Brown City Ordinance Section 154.400:** Consider setting a Public Hearing for October 1, 2020, at 7:05 PM.

Motion by Commission Frey, second by Commissioner Bell, to schedule a Public Hearing concerning Ordinance Section 154.400 for October 1, 2020, at 7:05 PM. Motion Carried.

3. **Maple Valley Estates:** The new owner of the Maple Valley Estates manufactured home subdivision wishes to know if the Planning Commission would allow the subdivision to be a mobile home facility as it was first designed and approved in the 1990's.

The Planning Commission discussed the subdivision and the request by the new owner. Questions raised concerned what the status of the existing manufactured homes would be and whether a facility could mix manufactured and mobile homes. There were also questions concerning required infrastructure improvements as well as any proposed recreation enhancements. The Planning Commission would like to receive information from the current inhabitants of Maple Valley Estates as well as the current property owner and surrounding property owners before making a use recommendation. Because the scheduled Public Hearing on Section 154.400 above has the potential to be lengthy and draw a large number of residents, a Public Hearing on Maple Valley Estates could be at a subsequent regular meeting.

Motion by Commission Bell, second by Commissioner Jacobson, to schedule a Public Hearing concerning changing the use of Maple Valley Estates for November 5, 2020, at 7:05 PM. Motion Carried. Vote was 5 – yes, 2 – no, 1 – absent, 0 – abstaining.

GENERAL CONCERNS OF THE COMMISSION: None.

ADJOURNMENT:

Motion by Commissioner Liebler, second by Commissioner McIvor, to adjourn at 8:25 p.m. Motion carried.

Respectfully submitted,



Clinton K. Holmes
City Manager