



## INKSTER CITY COUNCIL

November 4, 2019

26215 Trowbridge, Inkster, MI 48141  
(313) 563-4232 [www.cityofinkster.com](http://www.cityofinkster.com)

Mayor – Byron Nolen  
Mayor Pro Tem – Timothy Williams, District I

### **Council Members:**

Clarence Oden, Jr., District II  
Sandra K. Watley., District III  
Steven Chisholm, District IV  
Kim Howard, District V  
Connie R. Mitchell, District VI

FELICIA RUTLEDGE  
CITY CLERK

BYRON NOLEN  
MAYOR

TREASURER  
DARIN CARRINGTON

DAVID JONES  
CITY ATTORNEY

Council may be addressed during the Regular Meeting by filling out the Public Participation Form. Address Council as a whole through the Mayor. Please state your name and your address for the record prior to providing your comments. Comments are limited to three (3) minutes.

### **Council Orientation Agenda – 6:00 PM**

1. Call to Order
2. Discussion
  - A. Agenda Discussion

Public Participation (limit to 3 minutes)
3. CLOSED SESSION – Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).
4. Adjournment

November 4, 2019

**Regular City Council Agenda – 7:00 PM**

1. Call Meeting to Order

- A. Pledge of Allegiance
- B. Roll Call

2. Approval of Agenda

3. Presentations/Discussion

4. Public Hearing

- A. A public hearing Public Hearing for Wayne County 2017 Community Development Block Grant (CDBG) funds to be transferred from Housing Rehab to Demolition in the amount of \$36,000.
- B. Public Hearing for Wayne County 2018 Community Development Block Grant (CDBG) funds to be transferred from Housing Rehab to Demolition in the amount of \$40,000.

5. Consent Agenda

- A. October 21, 2019 Regular City Council Meeting Minutes. Pg. 1
- B. Allen Brother's and Attorney's PLLC Invoice \$31,803.36 (inserted)

6. Boards and Commissions

- A. Update of current list of appointments to Boards & Commissions. Pg. 6

7. Previous Business

8. Ordinance(s)

A. First Reading(s)

- 1. A first reading of text amendments (TA 19-23) to the City's Zoning Ordinance pertaining to provisions for recreational (adult-use) marijuana facilities per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information". Pg. 13

B. Second Reading(s)

9. New Business

- A. Discussion/Action: (Adrianna Jordan) Consideration and approval of Special Land Uses (SLUs 19-01 and 19-02) for a proposed Medical Marijuana Multi-use Facility to be located at 27181 Southern between Southern between Wiethoff and Sylvia in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. Rob Kato on behalf of Veritas Collective is the applicant.

Pg. 66

- B. Discussion/Action: (Adrianna Jordan) Consideration and approval for Council to offer an end date for the existing moratorium on used car lots (Resolution No. 6-18-123R).

Pg. 112

10. Public Participation (limit to 3 minutes)

11. City Clerk

12. City Treasurer

13. Mayor and Council Communication

14. Closed Session

Council may enter into Closed Session to discuss contract negotiations, purchase or lease of real property and/or pending litigation in accordance with MCL 15.268 (a), (c), (d), (e) and/or (f).

15. Adjournment

Felicia Rutledge  
City Clerk

October 21, 2019  
**Regular City Council Meeting – 7:00 PM**

The regular meeting of the Council of the City of Inkster, Wayne County, Michigan convened in the Council Chambers, 26215 Trowbridge, on Monday, October 21, 2019

Prior to the Regular Council Meeting: City Council members discussed:

A. Agenda Discussion

~~B. ELAN Engineering Council Chambers Audio/Video Equipment – Mike Refaio~~

**Moved by Councilmember Howard, Seconded by Councilmember Oden** to go into Executive Session 7:06 p.m. to discuss pending litigation, personnel and land sales in accordance with MCL 15.286 (e). Motion carried unanimously

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Oden** to adjourn the closed Executive Session at 7:22 p.m. Motion carried unanimously.

**Call Meeting to Order**

Mayor Nolen called the meeting to order at 7:30 p.m.

**Pledge of Allegiance**

City Council and the public in attendance pledged allegiance to the flag of the United States of America.

**Prayer**

Prayer was led Pastor Leon Crawford

**Roll Call**

|                       |         |                        |         |
|-----------------------|---------|------------------------|---------|
| Mayor Nolen           | Present | Councilwoman Howard    | Present |
| Councilwoman Watiey   | Present | Mayor Pro-Tem Williams | Present |
| Councilman Oden       | Present | Councilman Chisholm    | Present |
| Councilwoman Mitchell | Present |                        |         |

**Approval of Agenda**

**Moved by Mayor Pro-Tem Williams, Seconded by Councilmember Mitchell**  
**to approve the agenda.**

**Resolution 10-19-160R - Motion carried.**

**Presentations/Discussion**

A. Tribute – State Senator, Betty Jean Alexander  
 B. Oak Street Outreach Director, Brandon Young

**Public Hearings**

**Consent Agenda**

A. October 7, 2019 Regular City Council Meeting Minutes.

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden to approve the Consent Agenda.  
Resolution 10-19-161R – Motion carried.**

**Boards and Commission**

A. Update of current list of appointments to Boards & Commissions.

**Moved by Mayor Nolen, Seconded by Councilmember Howard to approve to appoint Yvette Brock to the Inkster Housing Commission.  
Resolution 10-19-162R – Motion carried.**

**Moved by Councilmember Mitchell, Seconded by Councilmember Howard to approve to appoint Octavia Smith to the DDA.  
Resolution 10-19-163R – Motion carried.**

**Moved by Councilmember Mitchell, Seconded by Councilmember Chisholm to approve to appoint June Liddel to the Historical Commission.  
Resolution 10-19-164R – Motion carried.**

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden to approve to appoint George Mitchell to the Historical Commission.  
Resolution 10-19-165R – Motion carried.**

**Moved by Councilmember Mitchell, Seconded by Councilmember Chisholm to approve to appoint Rhoda Littles to the Historical Commission.  
Resolution 10-19-166R – Motion carried.**

**Moved by Councilmember Mitchell, Seconded by Councilmember Chisholm to approve to appoint Octavia Smith to the Economic Development Corp.  
Resolution 10-19-167R – Motion carried.**

**Moved by Councilmember Mitchell, Seconded by Councilmember Chisholm to approve to appoint Angela Dotson to the Economic Development Corp.  
Resolution 10-19-168R – Motion carried.**

**Previous Business**

**Ordinance(s)**

A. First Reading(s)

B. Second Reading(s)

**New Business**

- A. Discussion/Action: (Adrianna Jordan) Consideration and approval of a Special Land Uses (SLUs 18-19, 18-20, 18-21, 18-22) for a proposed Medical Marijuana Multi-use Facility to be located on Industrial Drive between Henry Ruff and Middlebelt in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. Abe Hachem on behalf of MAD Collective is the applicant.

**Moved by Councilmember Chisholm, Seconded by Mayor Pro-Tem Williams to approve of a Special Land Uses (SLUs 18-19, 18-20, 18-21, 18-22) for a proposed Medical Marijuana Multi-use Facility to be located on Industrial Drive between Henry Ruff and Middlebelt in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. Abe Hachem on behalf of MAD Collective is the applicant.**

**Resolution 10-19-169R**— Motion carried.

**NAY: (Williams, Howard)**

- B. Discussion/Action: (Darin Carrington) Consideration to approve a Resolution for Huntington Bank for the installment purchase agreement of the 2020 Freightliner FL114SD New Model Vector Combination Sewer Cleaner. Funds have budgeted.

**Moved by Councilmember Mitchell, Seconded by Councilmember Oden to approve a Resolution for Huntington Bank for the installment purchase agreement of the 2020 Freightliner FL114SD New Model Vector Combination Sewer Cleaner. Funds have been budgeted.**

**Resolution 10-19-170R**— Motion carried

### Public Participation

- **Larry Motley** — Asked if there can be a cap placed on medical marijuana, if education classes and tutoring for kids can be provided by the facility owner. Further he asked if rehab projections, and job training can be provided.
- **Millie Gibson** — Asked about the tax levy on her tax bill.
- **Ann Chatmon** — Her son came on her behalf and asked the city to take care of blithe property that is next door to her. She stated she lives at 27015 Notre Dame and his mother is paying out of her own pocket to up keep the vacant blithe properties.
- **Officer Heyward** — Announced the Movie Night at Starfish Services on October 31, 2019 at 6:00 p.m.
- **Octavia Smith** — Announced on behalf of the Inkster Chamber that anyone wishing to place an ad for the chamber calendar had until October 31, 2019. She announced the Inkster Task Force 5K walk on November 1, 2019.
- **Barbara Cooper** — Thanked everyone who came out to support the Inkster Good Fellows Pancake Breakfast. She stated the funds go to no child left without a Christmas. She further state the age group they will be assisting is two thru sixteen.
- **Roslyn Butler** — Stated she is the owner/operator of Clayton's Kitchen. She said her establishment is a soul food restaurant and she is looking to expand her business to Inkster.
- **Shirley Hankerson** — Announced the Parks and Recreation Community Town Hall meeting on October 23, 2019.
- **Pastor Jean Overman** — Thanked Senator, Betty Jean Alexander, Chef Tony, Councilwoman Howard and other guest for coming out and participating in the Chili Cook-Off. She asked residents to save the date for the Operation of Refuge annual Gala on December 14, 2019. She further announced that Camp Inspire was recognized by Harvard.
- **Dennard Shaw** — Asked how much was paid for the water meters, about chargebacks and when was the last payment for the water meter.

### City Clerk

- No comments

### City Treasurer

- No comments

### **Mayor and Council**

- **Councilwoman Howard** – Stated she enjoyed the attending the Chili Cook-Off for Operation Refuge.
- **Councilman Chisholm** – Stated he attended the Chili Cook-Off and the Diaper Drive that was given by the Delta's. He said the Recreation Center was jumping.
- **Councilwoman Mitchell** – Stated the Census 2020 is coming up and all residents need to be counted. She stated to residents that the Census can be completed online, via paper and in person. She said the count of residents depends on how much federal money is received by the city. She stated the Senior Luncheon is on October 23, 2019 and the traffic slow down meeting is on October 31, 2019.
- **Councilwoman Watley** – Announced the Inkster Clean-Up Coalition cleanup on October 26, 2019 at 9:00 a.m. She further announced the I-CAN Candy Convoy that will begin at 4:00 p.m. on October 31, 2019. She stated that I-CAN is accepting candy donations.
- **Mayor Pro-Tem Williams** – Asked residents to Shop Inkster.
- **Mayor Nolen** – The Mayor announced: City of Inkster is required by the State of Michigan to test our lead and copper service lines to make sure that they do not exceed the allowable levels of lead and copper. Testing was done in September by our Department of Public Services. The City has a list of approximately 75 homes that have lead and copper service. From that list, 30 homes were tested for lead and copper content in the water. State guidelines allow for 10% failure rate (i.e. 3 homes) to be under the Action Level. The City missed the allowable rate by one home (i.e. 4 homes tested above the State guidelines). The guidelines allow a maximum of 15 parts per billion (ppb) for lead. As a result of the test, the City of Inkster is now in the Action Level phase. Under the Action Level, the City will be taking certain steps to ensure the continued safety of our water system. These steps include increased sample testing and educational outreach. To ensure that the City's drinking water remains safe, the City will be providing residents with water filters and will begin implementing a program to replace lead service lines. We are currently working with the State on the specific details for the Action Level. The City will be making more announcement and providing additional details in the next few days.

### **Adjournment**

There being no further business to come before Council, on a motion duly made  
By Councilmember Oden, Seconded by Mayor Pro-Tem Williams and carried,  
the Regular Council meeting of October 21, 2019 was adjourned at 8:46 p.m.



Felicia Rutledge, City Clerk  
City of Inkster



Allen Brothers  
Attorneys & Counselors, PLLC  
400 Monroe Street, Suite 620  
Detroit, MI 48226-2963

Inkster, City of  
26215 Trowbridge Street  
Inkster, MI 48141

Attn: Byron Nolan

Page: 1  
10/15/2019  
Account No: 1897M

**BREAKDOWN OF FEES/EXPENSES BY CATEGORY**

| Category                               | Fees/Costs        |
|----------------------------------------|-------------------|
| Flat fee/City Attorney work            | \$6,000.00        |
| Municipal Legal Services               | \$237.50          |
| Labor                                  | \$100.00          |
| Litigation                             | \$25465.86        |
| <b>Total Invoice for October, 2019</b> | <b>\$31803.36</b> |
|                                        |                   |

(inserted)

October 7, 2019  
**CITY OF INKSTER**  
**Boards & Commissions**

**[MADE OPERATIVE BY STATE LAW, CITY OF INKSTER CHARTER PROVISION OR CITY OF INKSTER ORDINANCE]**

**AGING COMMISSION**

[MEETINGS: Third Friday of each month at 1:00 p.m., Twin Towers Activity Room]

2 Year Term

9 Members

Ordinances: 414,457 & 508

Denise Champagne, Project Dir.  
- (Ex-Officio Member)

Tenure

Rochelle Wells

Exp. 8/06/20

Doris Horne

Exp. 08/06/20

Henry Wade

Exp. 08/06/20

Toni Bailey

Exp. 07/15/21

Roosevelt Stubbs

Exp. 04/15/2021

Gabe Henderson

Exp. 08/06/20

Jean Liddell

Exp. 08/06/20

Iris Long

Exp. 01/17/20

June Patter son

Exp. 01/17/20

Debra Owens

Exp. 05/21/20

Chuck Coleman

Exp. 08/20/20

**BOARD OF REVIEW**

[MEETINGS: March, July and December]

Annual Appointment

3 Members

Charter Provision and State Law

WCA Assessing

Clerk of the Board – Non Voting

William Miller

Exp. 03/05/2019

Lenoria Warmack

Exp. 03/06/2019

Ned Sanders

Exp. 02/04/20

Peggy Bishop (Alternate)

Exp. 10/72020

**BEAUTIFICATION COMMITTEE**

[MEETINGS: Second Monday of each month @ 6:00 p.m., Recreation Center]

2 Year Term

Toni Bailey

Exp. 07/16/20

Kathleen Gibbs

Exp. 02/06/19

Gabe Henderson

Exp. 02/18/21

Avis Love

Exp. 11/6/19

George Williams

Exp. 11/6/19

Vacant

Vacant

Vacant

Vacant

Vacant

Vacant

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Vacant

Vacant

Vacant

October 7, 2019

**BUILDING AUTHORITY COMMISSION - Inactive**

[MEETINGS: Second Monday in January]

3 Year Term

5 Members

State Law and Resolution 74-1-39

Nathaniel Elcock  
Hersey Bryant, (C)  
Horace Wells

Exp. 12/31/05  
Exp. 12/31/00  
Exp. 12/31/01

**CABLE TELEVISION COMMISSION**

[MEETINGS: Second Tuesday of each month at 6:00 p.m., Recreation Center]

3 Year Term

9 Members

Ordinances 593 and 609

**Vacant**

Troy Seaton Dist. 1  
Phineas Cody Dist. 3  
Octavia Smith Dist. 4  
Thelma Jean Overman Dist. 5  
Connie R. Mitchell Dist. 6  
Sandra Watley **Mayoral**  
Steven Chisholm At-Large

**Ex. Officio**

Exp. 01/17/20  
Exp. 10/07/22  
Exp. 07/03/20  
Exp. 02/06/20  
Exp. 02/04/22  
Exp. 01/03/20  
Exp. 01/17/20

**CIVIL SERVICE COMMISSION AND BOARD OF ETHICS**

[MEETINGS: Monthly]

3 Year Term

3 Members

Ordinances 237 & 559

Clarence Oden

Exp. 6/18/15

Vacant - (Employee Representative)

James White

Exp. 12/04/11

- (Commission Appointment)

**CONDEMNATION BOARD**

[MEETINGS: AS NEEDED]

5 Members

Ordinance 150.140 thru 150.145

Mark Minch (Building Contractor)  
Deborah Owens (General Member)  
Guy Borrusch General Member)  
Dorsey Williams (Contractor)  
James Garrett (Engineer)  
Charles Rizzon (Alternate)

Exp. 9/19 (1 Year Term)  
Exp. 9/19 (2 Year Term)  
Exp. 9/19 (2 Year Term)  
Exp. 9/20 (3 Year Term)  
Exp. 9/20 (3 Year Term)  
Exp. 12/19

October 7, 2019

**CONSTRUCTION BOARD OF APPEALS/PROPERTY MAINTENANCE BOARD**

[MEETINGS: As required]

|                      |           |            |
|----------------------|-----------|------------|
| 3 Year Term          | 3 Members | Ordinance  |
| Shirley Hankerson    |           | Exp. 12/21 |
| Yvette Brock         |           | Exp. 12/21 |
| Charles Rizzo        |           | Exp. 12/21 |
| Rebecca Daniels      |           | Exp. 02/22 |
| Tom Michelini        |           | Exp. 04/19 |
| – Building Inspector |           |            |

**DOWNTOWN DEVELOPMENT AUTHORITY**

[MEETINGS: Third Tuesday of each month, 6:00 p.m. City Hall Council Chambers]

|                           |            |                                      |
|---------------------------|------------|--------------------------------------|
| 4 Year Term               | 12 Members | State Law and Ordinances 687 and 741 |
| Connie R. Mitchell        |            | Tenure                               |
| Martha Theis              |            | Exp. 12/17/22                        |
| Angela Dodson             |            | Exp. 02/19/22                        |
| Barbara Cooper            |            | Exp. 10/7/23                         |
| Octavia Smith             |            | Exp. 10/21/23                        |
| Peter Cimeot              |            | Exp. 01/21/18                        |
| Akintola Akinyemi (Chair) |            | Exp. 02/16/19-RESIGNED               |
| Val Ogbonaya              |            | Exp. 07/20/19-RESIGNED               |
| Winston Wade              |            | Exp. 07/17/21                        |
| Rerhi Onomake (Treasurer) |            | Exp. 3/16/19                         |
| Uche Ndubuisi             |            | Exp. 7/20/19                         |
| Clarence Oden             |            | Exp. 7/1/23                          |

**ECONOMIC DEVELOPMENT CORPORATION (BOARD OF DIRECTORS)**

[MEETINGS: Second Thursday each month, held in the Conference Room, City Hall]

|                              |            |                                      |
|------------------------------|------------|--------------------------------------|
| 6 Year Term                  | 11 Members | State Law and Ordinances 517 and 570 |
| Bishop Walter Stargh!!!, Jr. |            | Exp. 06/07/16                        |
| Octavia Smith                |            | Exp. 10/21/25                        |
| Angela Dotson                |            | Exp. 10/21/25                        |
| Deborah Walker               |            | Exp. 06/07/16                        |
| Mary Weislo                  |            | Exp. 03/07/17                        |
| Cassandra Leonard            |            | Exp. 06/07/16                        |
| Herbert Johnson              |            | Exp. 06/07/16                        |
| Dennis Weislo                |            | Exp. 06/07/19                        |
| Charmaine Kennedy            |            | Exp. 01/17/23                        |
| Connie R. Mitchell           |            | Exp. 02/06/23                        |

**ELECTRICAL EXAMINING BOARD**

|                  |           |                             |
|------------------|-----------|-----------------------------|
| Indefinite Terms | 4 Members | State Law and Ordinance 616 |
|------------------|-----------|-----------------------------|

Walter Bays (Elec. Cont.)  
Andrew Hughes (Adm. Official)  
Carlton Trouteaud (Rep. of Detroit Edison)

October 7, 2019

### **ELECTION COMMISSION**

[Per the City Charter; Chapter 4; Section 4.1]

4 Year Term

Council Member (most votes)

City Attorney

Tenure

City Clerk

Tenure

Catherine Morris (Mayor and Council appointee)

12/20

LaGina Washington (Mayor and Council appointee)

12/22

### **HOUSING AND REDEVELOPMENT**

[MEETINGS: Third Tuesday of each month at 6:30 p.m., 4500 Inkster Road]

5 Year Term

6 Members

State Law and Ordinance 99

Caroline Smith

Exp. 03/24

Mable Stroman

Exp. 3/22

Ellis Clifton

Exp. 5/24

DaSalla Scott

Exp. 9/20 (Resident Housing)

Yvette Brock

Exp. 10/24

### **INKSTER HISTORICAL COMMISSION**

[MEETINGS: Third Saturday of each month at 10:30a.m. Library Study Room]

2 Year Term

7 Members

State Law and Ordinance 196

Theola Jones

Dist. 1

Exp. 02/06/19

Rhoda Littles

Dist. 2

Exp. 10/21/19

Ruth E. Williams

Dist. 3

Exp. 02/06/19

Vacant

Dist. 4

Vacant

Dist. 5

Jean Liddell

Dist. 6

Exp. 09/18/19

George Mitchell

Exp. 10/21/21

Gabe Henderson

Dist. ???

Exp. 08/20/20

### **LIBRARY BOARD**

4 year term

Michael Wells

Exp. 2019

Akindele Akinyemi

Exp. 2019

DeAndra Crystal-Rikay Watley

Exp. 2019

Dosye A. Thompson

Exp. 2019

Emmereal Shawn Wells

Exp. 2019

Ruth E. Williams

Exp. 2019

### **LOCAL BUSINESS ENTERPRISE ADVISORY COMMITTEE**

[MEETINGS: Third Tuesday of every month at 6:30 P.M., Inkster City Hall]

2 Year Term

7 Members

Ordinance: 603

Nell Harrison

Dist. 1

Exp. 3/21/18

Curtistine Barge

Dist. 2

Exp. 1/20/18

Brittni Abiolu

Dist. 3

Exp. 3/7/18

Olubisi B. Ajetunmobi

Dist. 4

Exp. 1/20/18

Vacant

Dist. 5

Barbara Cooper

Dist. 6

Exp. 5/2/18

Marie Jenkins

Mayoral

Exp. 1/20/18

October 7, 2019

**LOCAL OFFICERS COMPENSATION COMMISSION**

[MEETINGS: Minimum of One Meeting Each Odd-Numbered Year.]

7 Year Term

7 Members

State Law and Ordinance 409

|                     |                 |
|---------------------|-----------------|
| Lenoria Warmack     | Exp. 10/17/2023 |
| Thelma Jean Overman | Exp. 10/17/2023 |
| Debra Owens         | Exp. 10/17/2023 |
| Ann Gross           | Exp. 12/5/2023  |
| Ronald Johnson      | Exp. 12/19/2023 |
| George Williams     | Exp. 12/19/2023 |
| Aaron Sims          | Exp. 01/03/2024 |

**PARKS AND RECREATION COMMISSION**

[MEETINGS: First Tuesday of each month at 7:30 P.M., Recreation Complex]

2 Year Term

9 Members

Ordinances: 493 & 551

|                        |         |               |
|------------------------|---------|---------------|
| <b>VACANT</b>          | Dist. 1 | Exp. 03/20/19 |
| Opal Nolen             | Dist. 2 | Exp. 11/6/19  |
| Tania James            | Dist. 3 | Exp. 04/01/21 |
| LaWanna Abney-Mitchell | Dist. 4 | Exp. 02/19/20 |
| <b>VACANT</b>          | Dist. 5 | Exp. 02/19/20 |
| Connie R. Mitchell     | Dist. 6 | Exp. 09/05/19 |
| Tonia Williams         | Mayoral | Exp. 02/20/19 |
| Shirley Hankerson      | Mayoral | Exp. 4/15/21  |
| Ned Sanders            | Council | Exp. 07/07/19 |

**PARKS AND RECREATION YOUTH COMMISSION**

2 Year Term

6 Members

|                 |         |             |
|-----------------|---------|-------------|
| Alisa Todd      | Dist. 1 | Exp. 3/7/18 |
| Katrina Coats   | Dist. 2 | Exp. 3/7/18 |
| Zeavean Johnson | Dist. 3 | Exp. 3/7/18 |
| William Grubbs  | Dist. 4 | Exp. 3/7/18 |
| Taylor Todd     | Dist. 5 | Exp. 3/7/18 |
| Demon Zimmerman | Dist. 6 | Exp. 3/7/18 |
| Twain Smith     | Mayoral | Exp. 3/7/18 |

**PLANNING COMMISSION**

[MEETINGS: Fourth Monday of each month at 6:00 p.m., City Council Chambers]

3 Year Term

9 Members

State Law and Ordinance 33

|                                      |                       |
|--------------------------------------|-----------------------|
| Marcus Hendricks (Council appointee) | Exp. 12/18 – Resigned |
| Byron Nolen (Mayor)                  | Tenure                |
| Darryl Davis (City appointee)        | Exp. 3/22             |
| Timothy Williams (Mayor Pro-Tem)     | Exp. 7/19             |
| Mack Willis                          | Exp. 2/20             |
| James Garrett                        | Exp. 09/20            |
| William Ratliff (Vice-Chair)         | Exp. 07/22            |
| Lynette Cain (Secretary)             | Exp. 07/22            |
| Steven Chisholm (Chair)              | Exp. 07/22            |
| Kim Faison                           | Exp. 01/21            |

**POLICE AND FIREMAN RETIREMENT SYSTEM BOARD OF TRUSTEES**

[MEETINGS: First Thursday of each month at 1:00 p.m., TIFA Room]

2 Year Term

5 Members

Charter

|                       |            |            |
|-----------------------|------------|------------|
| Lorenzo A. Moner, Jr. | Mayoral    | Exp. 12/17 |
| Barry O'Bryan         | Police Rep |            |
| Jason Kaye            | Fire Rep   |            |

Sandra K. Watley  
Velma Overman

October 7, 2019  
City Council Rep      Exp. 12/18  
Board of Trustee Rep

### **WATER REVIEW COMMITTEE**

[MEETINGS: Scheduled by Chairman Marcus Hendricks, City Hall TIFA Room]

|                        |               |
|------------------------|---------------|
| Sam Brown              | App. 01/07/13 |
| Carl Woods             | App. 01/07/13 |
| Ann Coleman            | App. 01/07/13 |
| Courtney Owens         | App. 01/07/13 |
| Councilmember Williams | App. 02/04/13 |
| Marcus Hendricks       | App. 02/18/13 |
| Dennis Welsio          | App. 02/18/13 |

### **ZONING BOARD OF APPEALS (ZBA)**

[MEETINGS: First Thursday of each month at 6:00 P.M., City Council Chambers]

3 Year Term      7 Members      State Law and Ordinance 277

|                         |         |               |
|-------------------------|---------|---------------|
| Ruth E. Williams        | Dist. 1 | Exp. 02/15/19 |
| Clarence Oden, Jr. (VC) | Dist. 2 | Exp. 04/03/20 |
| James Cross             | Dist. 3 | Exp. 07/01/16 |
| Roosevelt Stubbs (S)    | Dist. 4 | Exp. 08/21/20 |
| Vanola Williams         | Dist. 5 | Exp. 02/06/20 |
| Norma McDaniel          | Dist. 6 | Exp. 10/05/18 |
| Tom Michelini           |         | Exp. 04/18/19 |
| Teresa Patton           |         | Exp. 08/06/21 |
| Mac Willis              |         | Exp. 11/05/21 |
| Dorsey Williams         |         | Exp. 07/1/22  |

### **Nankin Transit**

[ Meetings: Third Thursday of each month at 5:45 p.m., Nankin Transit [Jefferson Barns Community CTR. 32150 Dorsey Westland, MI. 48186]

|                                       |                          |
|---------------------------------------|--------------------------|
| Mayor Pro-Tem Timothy Williams        | Exp. Tenure              |
| Denise Champagne, Community Appointee | Exp. (Appointed in 2009) |

### **2015 Community Development Block Grant Advisory Council (CDBG)**

[ Meetings: Dates and times are quarterly and locations are various]

|                                     |             |
|-------------------------------------|-------------|
| Timothy Williams, Council Appointee | Exp. Tenure |
| Clarence Oden (Alternate)           | Exp. Tenure |

## **COMMITTEES FORMED BY COUNCIL RESOLUTIONS**

### **TAX INCREMENT FINANCE AUTHORITY**

[MEETINGS: Second Thursday of each month at 6:30 P.M., City Hall Council]

6 Year Term      13 Members      Resolution 85-8-331

|                          |                       |
|--------------------------|-----------------------|
| Connie R. Mitchell       | Tenure                |
| Britni Abiola            | Exp. 6/06/22-RESIGNED |
| Avis Love                | Exp. 03/20/23         |
| Rerhi Onomake            | Exp. 03/16/21         |
| Dennis Weislow           | Exp. 06/07/19         |
| Charmaine Kennedy        | Exp. 02/20/21         |
| Mary Weislow (Treasurer) | Exp. 06/06/22         |

October 7, 2019

Winnie Nwankwo

Exp. 05/18/21

Kindale Akinyemi

Exp. 05/18/21 RESIGNED

**BROWNFIELD REDEVELOPMENT AUTHORITY**

[MEETINGS: Second Tuesday of each month at 5:00 P.M., City Hall Council Chambers]

Terms 1, 2 and 3 years Up to 9 members

Resolution 02-9-458

Timothy Williams, City Council Representative

Tenure

Darin Carrington, Treasurer

Tenure

Vacant Community

Tenure

Tonia C. Williams

Exp. 02/20/19

Vacant

Exp. 11/6/20

**NOTES:**

     Vacancies and/or Expired terms

\*Has not taken the oath



## REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: October 29, 2019

From: Adrianna Jordan  
City Planner

Date for Council Consideration: November 4, 2019

**ACTION REQUESTED:** Council to offer a first reading of text amendments (TA 19-23) to the City's Zoning Ordinance pertaining to provisions for recreational (adult-use) marijuana facilities per the recommendations of the Planning Commission. For a list of affected ordinance sections please see "background information".

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒

Mayor's Approval ☐

### BACKGROUND INFORMATION

A public hearing was held by the Planning Commission for the proposed text amendments on Monday, October 28, 2019, and the amendments were also recommended for approval by the Planning Commission on Monday, October 28, 2019. Public comments were received on the amendments at the public hearing. Draft meeting minutes are attached.

Proposed modifications include changes to §155.146 "Standards for All Medical Marijuana Facilities" to include Recreational Marijuana facilities, and establishing §155.155D "Recreational Marijuana Grower", §155.155E "Recreational Marijuana Retailer", §155.155F "Recreational Marijuana Processor", §155.155G "Recreational Marijuana Secure Transporter", and §155.155H "Recreational Marijuana Safety Compliance Facility".

A 2<sup>nd</sup> reading and request for approval of the proposed text amendments will occur at the Council meeting scheduled on November 18, 2019.

### SCOPE OF SERVICES

N/A

### JUSTIFICATION

The proposed zoning text amendments are being initiated by the City of Inkster due to recent changes in state law in regards to recreational marijuana facilities and state license categories. On November 6, 2018 Michigan voters legalized adult-use (recreational) marijuana. The law related to this went into effect on December 6, 2018 and is known as the "Michigan Regulation and Taxation of Marijuana Act".

Currently, the City of Inkster zoning ordinance only recognizes medical marijuana land uses. The proposed zoning text amendments would follow the new state licensing

categories for adult-use (or recreational) marijuana and consist of recreational “marijuana growers”, “marijuana processors”, “marijuana retailers”, “marijuana secure transporters”, and “marijuana safety compliance facilities”. The new recreational (adult use) land uses and standards mirror the same land uses and standards used for medical marijuana in the zoning ordinance.

The text amendment language is attached for review.

#### **PROJECT OR IMPROVEMENT TASKS**

1. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.

#### **COSTS**

There are no associated costs.

#### **PROJECT TIME TABLE**

A second reading and request for approval of the proposed text amendments is scheduled during the Council meeting on November 18, 2019. If the request is approved by Council, the amendment will be published and posted and become effective after 30 days.

#### **RESOLUTION**

Resolved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Yes:

No:

Absent:



**CITY OF INKSTER**

26215 Trowbridge St.  
Inkster, MI 48141  
www.cityofinkster.com  
313.563.4232

October 23, 2019

Planning Commission  
City of Inkster  
26215 Trowbridge  
Inkster, MI 48141

**Subject: TA 19-23 Recreational Marijuana Zoning Text Amendments**

The City of Inkster Planning Department is submitting the above-referenced revised zoning text amendments for the Planning Commission's review and consideration.

**DESCRIPTION**

The proposed zoning text amendments are being initiated by the City of Inkster due to recent changes in state law in regards to recreational marijuana facilities and state license categories. On November 6, 2018 Michigan voters legalized adult-use (recreational) marijuana. The law related to this went into effect on December 6, 2018 and is known as the "Michigan Regulation and Taxation of Marijuana Act".

Currently, the City of Inkster zoning ordinance only recognizes medical marijuana land uses. The proposed zoning text amendments would follow the new state licensing categories for adult-use (or recreational) marijuana and consist of recreational "marijuana growers", "marijuana processors", "marijuana retailers", "marijuana secure transporters", and "marijuana safety compliance facilities". The new recreational (adult use) land uses and standards mirror the same land uses and standards used for medical marijuana in the zoning ordinance, and propose amendments to the following sections of the City of Inkster's Zoning Ordinance:

**§ 155.021. CONFLICT OF LAWS AND PROHIBITED LAND USES.**

*(To Include Adult Use/Recreational Marijuana facilities)*

**§ 155.029. DEFINITIONS.**

*(To include definitions for various Adult Use/Recreational Marijuana facilities)*

**§ 155.036. SCHEDULE OF LAND USES**

*(To Include Adult Use/Recreational Marijuana facilities in appropriate places)*

**§ 155.045 (D). B-1 LOCAL BUSINESS DISTRICT, Special Land Uses**

*(To add appropriate Adult Use/Recreational Marijuana facilities as special use)*

**§ 155.046 (D). B-2 THOROUGHFARE MIXED USE DISTRICT, Special Land Uses**  
*(To add appropriate Adult Use/Recreational Marijuana facilities as special use)*

**§ 155.047 (D). B-3 GENERAL BUSINESS DISTRICT, Special Land Uses**  
*(To add appropriate Adult Use/Recreational Marijuana facilities as special use)*

**§ 155.048 (C). M-1 LIGHT INDUSTRIAL DISTRICT, Special Land Uses**  
*(To add appropriate Adult Use/Recreational Marijuana facilities as special use)*

**§ 155.049 (C). TCD TOWN CENTER DISTRICT, Special Land Uses**  
*(To add appropriate Adult Use/Recreational Marijuana facilities as special use)*

**§ 155.146 STANDARDS FOR ALL MEDICAL MARIJUANA FACILITIES.**  
*(To include Adult Use/Recreational Marijuana facilities)*

**§ 155.148 (B) MEDICAL MARIJUANA PROVISIONING CENTERS**  
*(To amend radius language)*

And to add the following new sections to the Zoning Ordinance:

**§ 155.150 (D) RECREATIONAL MARIJUANA GROWER ESTABLISHMENT**  
*(To permit this new land use)*

**§ 155.150 (E) RECREATIONAL MARIJUANA RETAILER ESTABLISHMENT**  
*(To permit this new land use)*

**§ 155.150 (F) RECREATIONAL MARIJUANA PROCESSING ESTABLISHMENT**  
*(To permit this new land use)*

**§ 155.150 (G) RECREATIONAL MARIJUANA SECURE TRANSPORTER**  
*(To permit this new land use)*

**§ 155.150 (H) RECREATIONAL MARIJUANA SAFETY COMPLIANCE ESTABLISHMENT**  
*(To permit this new land use)*

Thank you for your consideration,



Adrianna Jordan, AICP  
City Planner

## TA 19-23 Recreational Marijuana

All edits are highlighted in red with new text underlined and deleted text marked with a ~~strikethrough~~.

### **General Provisions**

- 155.011 Title
- 155.012 Enactment
- 155.013 Applicability and jurisdiction
- 155.014 Intent
- 155.015 Rules of interpretation and application
- 155.016 Conflicting provisions
- 155.017 Transitional provisions
- 155.018 Construction of language
- 155.019 Reconstruction of damaged properties
- 155.020 Vested rights prohibited
- 155.021 Conflict of laws and prohibited land uses
- 155.022 Reserved through § 155.028
- 155.029 Definitions

### **Districts and Boundaries; Maps; Schedule of Land Uses**

- 155.031 Districts established
- 155.032 Zoning map
- 155.033 Interpretation of district boundaries
- 155.034 Zoning of vacated areas
- 155.035 Zoning of annexed areas
- 155.036 Schedule of land uses
- 155.037 Reserved through § 155.039

### **Zoning District Regulations**

- 155.041 R-1A through R-1C One-Family Residential Districts
- 155.042 RM Restricted Multiple-Family Dwelling District
- 155.043 RM-1 Multiple-Family Dwelling District
- 155.044 O-1 Office Building District
- 155.045 B-1 Local Business District
- 155.046 B-2 Thoroughfare Mixed-Use District
- 155.047 B-3 General Business District
- 155.048 M-1 Light Industrial District
- 155.049 TCD Town Center District
- 155.050 Reserved through § 155.059

### **Schedule of Regulations**

- 155.061 Schedule of regulations
- 155.062 Reserved through § 155.069

### **General Development Standards**

- 155.071 Intent
- 155.072 Architectural features
- 155.073 Site design features
- 155.074 Walls

155.075 Waste receptacle (dumpster), storage screening, or collection bins

155.076 Exterior lighting and security cameras

155.077 Off-street parking

155.078 Accessible parking for physically disabled persons

155.079 Off-street loading and unloading

155.080 Parking lot landscaping

155.081 Use restriction

155.082 Height, area and use exceptions

155.083 Required site development

#### **Special Land Use Standards**

155.111 Intent

155.112 Child and adult foster care facilities

155.113 Nursery schools, day nurseries and child care centers (not including dormitories)

155.114 Nursing and convalescent homes

155.115 Religious institutions

155.116 Senior housing, assisted living facility and similar types of housing for the elderly

155.117 Private noncommercial recreation area; institutional or community recreation centers

155.118 Golf courses

155.119 Colleges, universities and other institutions of higher learning

155.120 Business, trade, vocational and similar learning institutions

155.121 Townhomes and duplexes

155.122 Multiple-family dwellings (three stories or less)

155.123 Multiple-family dwellings (four stories or greater)

155.124 Mixed-use business and residential buildings

155.125 General hospitals

155.126 Automobile service stations

155.127 Vehicle washing facilities

155.128 Minor vehicle repair facilities

155.129 Major vehicle repair facilities

155.130 Carry-out, fast food, drive-through or drive-in restaurants

155.131 Motels or hotels

155.132 Self-storage facilities

155.133 Outdoor sales space for exclusive sale of new or pre-owned vehicles or house trailers

155.134 Outdoor sales of automobiles and other vehicles

155.135 Greenhouse and florist operations involving the growing, wholesaling, and/or retailing of plant materials

155.136 Open air business

155.137 Research and development facilities

155.138 Junk yards

- 155.139 Contractors' offices and yards
- 155.140 Manufactured housing communities
- 155.141 Outdoor theaters
- 155.142 Floodplain zones; National Flood Insurance Program
- 155.143 Standards for processing bio-diesel fuels
- 155.144 Tattoo establishments
- 155.145 Charitable gaming room
- 155.146 Standards for all medical marijuana facilities and recreational marijuana establishments
- 155.147 Commercial warehouse and wholesale operations
- 155.148 Medical marijuana provisioning centers
- 155.149 Temporary pop-up commercial use
- 155.149A Mobile food vending
- 155.149B Mobile food court or park
- 155.150 Medical marijuana processing facilities
- 155.150A Medical marijuana testing facilities
- 155.150B Medical marijuana transportation facilities
- 155.150C Medical marijuana cultivation facilities
- 155.150D Recreational marijuana grower establishment
- 155.150E Recreational marijuana retailer establishment
- 155.150F Recreational marijuana processing establishment
- 155.150G Recreational marijuana secure transporter
- 155.150H Recreational marijuana safety compliance establishment
- Alternative Development Options**
- 155.151 Condominium development
- 155.152 Planned unit development
- 155.153 Lot averaging for one-family developments
- 155.154 Reserved through § 155.159
- Performance Standards**
- 155.161 Intent
- 155.162 Scope of application
- 155.163 Submission of additional data
- 155.164 Performance standards
- 155.165 Procedures for determining compliance
- 155.166 Continued violation
- 155.167 Appeals
- 155.168 Reserved through § 155.179
- Nonconforming Uses and Structures**
- 155.181 Intent
- 155.182 Nonconforming lots
- 155.183 Nonconforming uses of land
- 155.184 Nonconforming structures
- 155.185 Nonconforming uses of structures
- 155.186 Repairs and maintenance

- 155.186A Preferred class designations
- 155.187 Change of tenancy or ownership
- 155.188 Reserved through § 155.199

#### **Regulated Uses**

- 155.201 Intent
- 155.202 Establishment
- 155.203 Review and action procedures
- 155.204 Invalidation of regulated use permits
- 155.205 Massage establishments
- 155.206 Reserved
- 155.207 Appeals procedure
- 155.208 Reserved
- 155.209 Reserved

#### **Wireless Communications Towers and Antennas**

- 155.211 Intent
- 155.212 Definitions
- 155.213 Applicability
- 155.214 General requirements
- 155.215 Permitted uses
- 155.216 Special land use permits
- 155.217 Insurance obligation

#### **Location Restrictions**

- 155.218 Theaters, assembly halls, concert halls, clubs and similar organizations
- 155.219 Reserved through § 155.229

#### **Signs**

- 155.231 Intent
- 155.232 Scope of requirements
- 155.233 Definitions
- 155.234 Review, action and inspection
- 155.235 Obsolete signs
- 155.236 Nonconforming signs
- 155.237 Alteration of signs
- 155.238 Compliance with the zoning code
- 155.239 Appeal to the Zoning Board of Appeals
- 155.240 Registration of sign contractors; licensing and bonding
- 155.241 General limitations and provisions
- 155.242 Structural requirements and mounting
- 155.243 Motorist visibility
- 155.244 Illumination
- 155.245 Measurement
- 155.246 Reserved
- 155.247 Reserved
- 155.248 Reserved



- 155.249 Reserved
- 155.250 Residential district signs
- 155.251 Business and office district signs
- 155.252 Industrial district signs
- 155.253 Tables and figures
- 155.254 Reserved
- 155.255 Severability clause
- 155.256 Waiver process
- 155.257 Reserved through § 155.259

**Public Art**

- 155.261 Murals
- 155.262 Mural regulations
- 155.263 Reserved through § 155.269

**Powers and Duties of Boards and Departments**

- 155.271 City Council
- 155.272 City Planning Commission
- 155.273 Community Development Department
- 155.274 Building Department
- 155.275 Zoning Board of Appeals
- 155.276 Reserved through § 155.279

**Administration, Enforcement and Penalties**

- 155.281 Enforcement authority
- 155.282 Duties of the Building Official or other official responsible for code enforcement
- 155.283 Plot plan
- 155.284 Permit requirements
- 155.285 Certificate of occupancy and re-occupancy
- 155.286 Site plan review (all districts)
- 155.287 Standards for site plan approval
- 155.288 Procedures for special land use review
- 155.289 Standards for special land use approval
- 155.290 Special meetings
- 155.291 Public hearing notification requirements
- 155.292 Fee structure
- 155.293 Performance guarantee
- 155.294 Changes and amendments
- 155.295 Final inspection
- 155.296 Public nuisance and abatement
- 155.297 Owner's liability to punishment
- 155.298 Rights and remedies are cumulative
- 155.299 (Reserved)
- 155.300 Imposition of penalty does not exempt compliance with requirements
- 155.301 Severability

- 155.302 Savings
- 155.303 Validity
- 155.304 Time limitations on orders
- 155.305 Reserved through § 155.319
- Repeal and Effective Date**
- 155.321 Repeal
- 155.322 Effective date
  
- 155.999 Penalty

**§ 155.021. CONFLICT OF LAWS AND PROHIBITED LAND USES.**

(A) Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances are prohibited.

(B) This prohibition shall not apply to the following:

(1) A qualifying patient engaged in the medical use of marijuana in his or her own residence in accordance with the Michigan Medical Marihuana Act.

(2) A primary caregiver assisting a qualifying patient with whom he or she is connected through the Michigan Department of Community Health's registration process with the medical use of marijuana in accordance with the Michigan Medical Marihuana Act.

(3) A facility licensed by the city and the State of Michigan in compliance with Public Act 281 of 2016, the Medical Marihuana Facilities Licensing Act, as amended.

(4) A recreational marijuana establishment licensed by the city and the State of Michigan in compliance with Initiated Law 1 of 2018, MCL 333.27951, et seq., the Michigan Regulation and Taxation of Marihuana Act.

**§ 155.029. DEFINITIONS. (Add the following definitions)**

"Recreational Marijuana Establishment" means a marijuana grower, marijuana safety compliance facility, marijuana processor, marijuana retailer, marijuana secure transporter, or any other type of marijuana-related business licensed by the department.

"Recreational Marijuana Grower" means a person licensed to cultivate marijuana and sell or otherwise transfer marijuana to marijuana establishments as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Processor" means a person licensed to obtain marijuana from marijuana establishments; process and package marijuana; and sell or otherwise transfer marijuana to marijuana establishments, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Retailer" means a person licensed to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years of age or older, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Secure Transporter" means a person licensed to obtain marijuana from marijuana establishments in order to transport marijuana to marijuana establishments, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Safety Compliance Facility" means a person licensed to test marijuana, including certification for potency and the presence of contaminants, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

#### **§ 155.036. SCHEDULE OF LAND USES**

Table 2-1. Schedule of Land Uses displays specific land uses in reference to their respective zoning districts. The schedule is general and intended to provide initial guidance for users. A complete list with land use conditions is set forth in §§ 155.041 through 155.049. Regulations in §§ 155.041 through 155.049 take precedent over Table 2-1 below.

**Table 2-1 Schedule of Land Uses by Zoning District**

|                                                            | Zoning Districts |     |      |     |     |     |     |     |     |
|------------------------------------------------------------|------------------|-----|------|-----|-----|-----|-----|-----|-----|
|                                                            | R-1              | RM  | RM-1 | O-1 | B-1 | B-2 | B-3 | M-1 | TCD |
|                                                            | A, B,<br>C       |     |      |     |     |     |     |     |     |
| <b>Residential Land Use Types</b>                          |                  |     |      |     |     |     |     |     |     |
| One-Family Detached Dwelling                               | P                | P   | P    |     |     |     |     |     | P   |
| Two-Family Dwellings/Duplexes                              |                  | P   | P    |     |     |     |     |     |     |
| Townhomes (2 story max.)                                   |                  | P   | P    |     |     | P   |     |     |     |
| Townhomes (3 story max.)                                   |                  | SLU |      |     |     |     |     |     |     |
| Multiple-Family Dwellings (2 story max.)                   |                  | P   | P    |     |     |     |     |     | P   |
| Multiple-Family Dwellings (3 story max.)                   |                  | SLU | P    |     |     | P   |     |     | P   |
| Multiple-Family Dwellings (4+ stories)                     |                  |     | SLU  |     |     |     |     |     | P   |
| Mixed-Use Residential and Business (Lofts)                 |                  |     |      |     | SLU | SLU |     |     | SLU |
| Manufactured Housing Community                             |                  |     |      |     |     |     | SLU | SLU |     |
| <b>Public/Quasi-Public Land Use Types</b>                  |                  |     |      |     |     |     |     |     |     |
| Charitable Gaming Room                                     |                  |     |      |     |     | SLU | SLU | SLU | P   |
| Child/Adult Foster Care (6 or less persons)                | P                | P   | P    |     |     |     |     |     | P   |
| Child/Adult Foster Care (7, but fewer than twelve persons) | SLU              | SLU | SLU  |     |     |     |     |     |     |

|                                                                                   |     |     |     |     |     |       |     |   |     |
|-----------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-------|-----|---|-----|
| Assisted Living Facilities/Elderly Housing                                        |     | SLU | SLU |     |     | SLU   | SLU |   |     |
| Nursing and Convalescent Homes                                                    |     | SLU | SLU | SLU |     | SLU   |     |   |     |
| Transient Residential and Rooming Houses                                          |     |     |     |     |     | SLU   | SLU |   |     |
| Publicly Owned Libraries                                                          | P   | P   | P   | P   |     |       |     |   | P   |
| Publicly Owned Parks and Parkways                                                 | P   | P   | P   | P   |     |       |     |   | P   |
| Publicly Owned Recreation Facilities                                              | P   | P   | P   | P   |     |       |     |   | P   |
| Post Offices and Similar Government Offices                                       |     |     |     | P   |     | P     | P   |   | P   |
| Utility and Public Owned Buildings w/o storage yards                              | SLU | SLU | SLU | SLU | SLU | P/SLU | P   | P | P   |
| General Hospitals                                                                 |     |     | SLU |     |     |       | SLU |   |     |
| Religious institutions and Incidental Facilities                                  | SLU | SLU | SLU |     | SLU | SLU   | SLU |   | SLU |
| Cemeteries                                                                        | P   | P   | P   |     |     |       |     |   |     |
| Private Noncommercial Recreational Areas                                          | SLU | SLU | SLU |     |     |       |     |   |     |
| Institutional or Community Recreation Centers                                     | SLU | SLU | SLU |     |     |       |     |   | P   |
| Golf Courses                                                                      | SLU |     |     |     |     |       |     |   |     |
| Non-Profit Public, Parochial and Private Elementary, Intermediate or High Schools | SLU | SLU | SLU |     |     | SLU   | SLU |   |     |

|                                                                                |     |     |     |  |  |     |     |       |   |
|--------------------------------------------------------------------------------|-----|-----|-----|--|--|-----|-----|-------|---|
| Colleges, Universities and Institutions of Higher Learning, Public and Private | SLU | SLU | SLU |  |  |     | SLU |       |   |
| Business Schools and Colleges                                                  |     |     |     |  |  |     | SLU |       |   |
| Vocational Training Centers and Schools                                        |     |     |     |  |  | SLU | SLU |       |   |
| Private For-Profit Schools, Business Schools and Colleges                      |     |     |     |  |  | SLU | SLU |       |   |
| Theaters                                                                       |     |     |     |  |  | SLU | SLU |       | P |
| Assembly Halls                                                                 |     |     |     |  |  | SLU | SLU |       | P |
| Concert Halls                                                                  |     |     |     |  |  | SLU | SLU |       | P |
| Private Clubs                                                                  |     |     |     |  |  | P   | P   | P/SLU |   |
| Fraternal Organizations                                                        |     |     |     |  |  | P   | P   | P/SLU |   |
| Lodge Halls                                                                    |     |     |     |  |  | P   | P   | P/SLU |   |
| <b>Business and Office Land Use Types</b>                                      |     |     |     |  |  |     |     |       |   |
| Adult Businesses and Uses                                                      |     |     |     |  |  |     | SLU |       |   |
| Arcades                                                                        |     |     |     |  |  |     | SLU |       |   |
| Art, Photographic and Design Studios                                           |     |     |     |  |  | P   | P   |       | P |
| Automobile Repair (Minor)                                                      |     |     |     |  |  |     | SLU | SLU   |   |
| Automobile Service Centers (as part of planned shopping center)                |     |     |     |  |  | SLU | SLU |       |   |
| Automobile Service Stations                                                    |     |     |     |  |  |     | SLU | SLU   |   |
| Banks and Similar Financial Institutions                                       |     |     |     |  |  | P   | P   |       | P |

|                                             |   |   |   |   |   |     |       |     |     |
|---------------------------------------------|---|---|---|---|---|-----|-------|-----|-----|
| Bar or Lounge                               |   |   |   |   |   | SLU | SLU   |     | SLU |
| Bus Passenger Stations                      |   |   |   |   |   | P   | P     | P   | P   |
| Cabaret                                     |   |   |   |   |   |     | SLU   |     |     |
| Carry-out Restaurants                       |   |   |   |   |   | SLU | SLU   |     | P   |
| Crafts and Fine Arts<br>(Instruction in)    | P | P | P |   |   | P   | P     |     | P   |
| Computer Centers                            |   |   |   |   |   |     | P     | P   |     |
| Dance, Music and Voice<br>Schools           |   |   |   |   |   | P   | P     |     |     |
| Drive-in Restaurants                        |   |   |   |   |   | SLU | SLU   |     |     |
| Drive-Through Facilities                    |   |   |   |   |   | SLU | SLU   |     |     |
| Drive-Through<br>Restaurants                |   |   |   |   |   | SLU | SLU   |     |     |
| Dry Cleaners                                |   |   |   |   | P | P   | P     |     | P   |
| Electronic Data<br>Processing Centers       |   |   |   |   |   |     | P     | P   |     |
| Fast Food Restaurants<br>w/o drive- through |   |   |   |   |   | SLU | SLU   | SLU |     |
| Firearms sales<br>establishments            |   |   |   |   |   |     | SLU   |     |     |
| Hotels (Full Service)                       |   |   |   |   |   |     | SLU   |     | P   |
| Indoor Commercial<br>Recreation             |   |   |   |   |   | SLU | SLU/P |     | P   |
| Kennel, Commercial                          |   |   |   |   |   |     | SLU   |     | P   |
| Liquor, Beer and Wine<br>Sales              |   |   |   |   |   |     | SLU   |     |     |
| Massage Businesses                          |   |   |   |   |   |     | SLU/P |     |     |
| Medical and Dental<br>Laboratories          |   |   |   |   |   | P   | P     |     |     |
| Medical and Dental<br>Offices and Clinics   |   |   |   | P | P | P   | P     |     |     |

|                                                             |     |     |     |     |     |     |     |     |   |
|-------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|---|
| Mortuaries                                                  |     |     |     |     |     | P   | P   |     |   |
| Motels                                                      |     |     |     |     |     |     | SLU |     |   |
| New and Used Vehicle Sales (Indoor)                         |     |     |     |     |     |     | SLU |     |   |
| New and Used Vehicle Sales (Outdoor)                        |     |     |     |     |     |     | SLU |     |   |
| Nursery Schools, Day Nurseries and Child/Adult Care Centers | SLU | SLU | SLU | SLU | SLU | SLU | P   |     | P |
| Office Equipment - Sales and Service                        |     |     |     |     |     | P   | P   |     |   |
| Open Air Businesses                                         |     |     |     |     |     | SLU | SLU |     |   |
| Pawnshops                                                   |     |     |     |     |     |     | SLU |     |   |
| Personal Service Establishments                             |     |     |     |     | P   | P   | P   |     | P |
| Professional and Financial Services                         |     |     |     |     |     | P   | P   |     | P |
| Professional Offices                                        |     |     |     | P   |     | P   | P   |     | P |
| Public Utility Offices w/o storage yards                    |     |     |     | P   |     | P   | P   | P   |   |
| Retail Reproduction Services                                |     |     |     |     |     | P   | P   | P   | P |
| Retail Businesses (Convenience)                             |     |     |     |     | P   | P   | P   | SLU | P |
| Retail (within enclosed building)                           |     |     |     |     |     | P   | P   |     | P |
| Secondhand Stores                                           |     |     |     |     |     | SLU | SLU |     |   |
| Showrooms and Workshops                                     |     |     |     |     |     | P   | P   | P   |   |
| Specially designated distributor (SDD)                      |     |     |     |     |     |     | SLU |     |   |



|                                                                                                 |  |  |  |  |  |     |     |     |   |
|-------------------------------------------------------------------------------------------------|--|--|--|--|--|-----|-----|-----|---|
| Specially designated merchant (SDM).                                                            |  |  |  |  |  |     | SLU |     |   |
| Standard Restaurants                                                                            |  |  |  |  |  | P   | P   | SLU | P |
| Substance Abuse Rehabilitation Clinics                                                          |  |  |  |  |  |     | SLU |     |   |
| Tattoo Establishments                                                                           |  |  |  |  |  | SLU | SLU |     |   |
| Temporary Pop-Up Retail Commercial Use                                                          |  |  |  |  |  | P   | P   |     | P |
| Vehicle Wash Establishments                                                                     |  |  |  |  |  |     | SLU |     |   |
| Veterinary Hospitals and Clinics                                                                |  |  |  |  |  | P   | P   |     |   |
| <b>Industrial Land Use Types</b>                                                                |  |  |  |  |  |     |     |     |   |
| Automobile or other machinery assembly plants                                                   |  |  |  |  |  |     |     | SLU |   |
| Automobile and Vehicle Repair (Major), including Collision, Transmission and Undercoating Shops |  |  |  |  |  |     |     | SLU |   |
| Canning Factories                                                                               |  |  |  |  |  |     |     | SLU |   |
| Central Dry Cleaning Plants (no retail permitted)                                               |  |  |  |  |  |     |     | P   |   |
| Greenhouse and Similar Uses                                                                     |  |  |  |  |  |     |     | SLU |   |
| Laboratories                                                                                    |  |  |  |  |  |     |     | P   |   |
| Lumber and Planing Mills                                                                        |  |  |  |  |  |     |     | SLU |   |
| Manufacturing and Assembly Operations (enclosed; not including large stampings)                 |  |  |  |  |  |     |     | P   |   |

|                                                                                                |   |     |     |   |     |   |     |     |  |
|------------------------------------------------------------------------------------------------|---|-----|-----|---|-----|---|-----|-----|--|
| Metal Plating and Similar Uses                                                                 |   |     |     |   |     |   |     | SLU |  |
| Metal Stamping and Similar Uses                                                                |   |     |     |   |     |   |     | SLU |  |
| Painting and Varnishing Shops                                                                  |   |     |     |   |     |   |     | SLU |  |
| Reproduction Plants                                                                            |   |     |     |   |     |   |     | P   |  |
| Research and Development Facilities                                                            |   |     |     |   |     |   | SLU | P   |  |
| Self-Service Storage Facilities                                                                |   |     |     |   |     |   | SLU | P   |  |
| Sign Repair/Manufacturing                                                                      |   |     |     |   |     |   |     | P   |  |
| Storage Yards for Public Utilities                                                             |   |     |     |   |     |   |     | P   |  |
| Storage Facilities for Building Materials, Contractor's Equipment, Open Storage and Junk Yards |   |     |     |   |     |   |     | SLU |  |
| Trade or Industrial Schools                                                                    |   |     |     |   |     |   |     | P   |  |
| Truck and Terminal Facilities                                                                  |   |     |     |   |     |   |     | P   |  |
| Utility and Public Service Buildings w/o storage yards                                         |   | SLU | SLU | P | SLU | P | P   | P   |  |
| Vehicle and Machinery Assembly Plants                                                          |   |     |     |   |     |   |     | SLU |  |
| Warehouse and Wholesale Businesses                                                             |   |     |     |   |     |   |     | P   |  |
| <b>Miscellaneous Land Use Types</b>                                                            |   |     |     |   |     |   |     |     |  |
| Accessory Buildings and Structures                                                             | P | P   | P   | P | P   | P | P   | P   |  |

|                                                 |     |     |     |     |            |            |            |            |            |
|-------------------------------------------------|-----|-----|-----|-----|------------|------------|------------|------------|------------|
| Accessory Businesses                            |     |     |     | P   | P          | P          | P          | P          | P          |
| Accessory Uses                                  |     |     |     | P   | P          | P          | P          | P          |            |
| Agricultural (5+ acres)                         | P   | P   | P   |     |            |            |            |            |            |
| Amateur Radio Antenna                           | SLU | SLU | SLU | SLU | SLU        | SLU        | SLU        | SLU        |            |
| Automobile Parking                              | P   | P   | P   | P   | P          | P          | P          | P          | P          |
| Electric Transformer Stations w/o storage yards |     |     |     |     |            | SLU        | P          | P          |            |
| Gas Regulator Stations w/o storage yards        |     |     |     |     |            | SLU        | P          | P          |            |
| Medical Marijuana Cultivation Facility          |     |     |     |     |            |            |            | SLU        |            |
| Medical Marijuana Provisioning Center           |     |     |     |     | SLU        | SLU        | SLU        |            | SLU        |
| Medical Marijuana Processing Facility           |     |     |     |     |            |            |            | SLU        |            |
| Medical Marijuana Testing Facility              |     |     |     |     |            |            |            | SLU        |            |
| Medical Marijuana Transportation Facility       |     |     |     |     |            |            |            | SLU        |            |
| <u>Recreational Marijuana Grower</u>            |     |     |     |     |            |            |            | <u>SLU</u> |            |
| <u>Recreational Marijuana Processing</u>        |     |     |     |     |            |            |            | <u>SLU</u> |            |
| <u>Recreational Marijuana Retailer</u>          |     |     |     |     | <u>SLU</u> | <u>SLU</u> | <u>SLU</u> |            | <u>SLU</u> |
| <u>Recreational Marijuana Safety Compliance</u> |     |     |     |     |            |            |            | <u>SLU</u> |            |
| <u>Recreational Marijuana Transporter</u>       |     |     |     |     |            |            |            | <u>SLU</u> |            |
| Telephone Exchanges w/o storage yards           |     |     |     |     |            | SLU        | P          | P          |            |

|                                                         |   |   |   |  |  |     |     |     |  |
|---------------------------------------------------------|---|---|---|--|--|-----|-----|-----|--|
| Temporary Buildings for Construction                    | P | P | P |  |  |     |     |     |  |
| Water and Sewage Pumping Stations w/o storage yards     |   |   |   |  |  | SLU | P   | P   |  |
| Wireless Towers and Antennas                            |   |   |   |  |  |     | SLU | SLU |  |
| <b>Notes: P = Permitted Use, SLU = Special Land Use</b> |   |   |   |  |  |     |     |     |  |

**§ 155.045 (D). B-1 LOCAL BUSINESS DISTRICT, Special Land Uses**

(D) Special land uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

- (1) Mixed-use business and residential buildings.
- (2) Nursery schools, day nurseries and child care centers (not including dormitories).
- (3) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless

Communication Towers and Antennas.

- (4) Utility and public service buildings without storage yards.
- (5) Publicly owned buildings without storage yards.
- (6) Medical marijuana provisioning centers subject to the regulations of § 155.148.
- (7) Religious institutions.

(8) Recreational Marijuana Retailer subject to the regulations of § 155.150E

**§ 155.046 (D). B-2 THOROUGHFARE MIXED USE DISTRICT, Special Land Uses**

(D) Special land use. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

(1) Open air business uses when developed in planned relationship with permitted uses within the B-2 District.

(2) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district. Firearm ranges are expressly prohibited.

(3) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards but without storage yards, water and sewage pumping stations.

(4) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center; and provided further that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.

(5) Nursing and convalescent homes.

(6) Senior housing, assisted living and similar types of housing for the elderly not to exceed a height of three stories.

(7) Carry-out, fast food, drive-thru or drive-in restaurants.

(8) Mixed-use business and residential buildings.

(9) Business schools and colleges, or vocational training centers, such as trade schools.

(10) Nursery schools, day nurseries and child care centers.

(11) Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings, subject to the requirements of § 155.218.

(12) Private schools operated for profit.

(13) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.

(14) Utility and public service buildings without storage yards.

(15) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.

(16) Tattoo parlors.

(17) Charitable gaming room subject to the regulations of § 155.145.

(18) Medical marijuana provisioning centers subject to the regulations of § 155.148.

(19) Second hand stores.

(20) Religious institutions.

(21) Bar or lounge.

(22) Recreational Marijuana Retailer subject to the regulations of § 155.150E

#### **§ 155.048 (C). M-1 LIGHT INDUSTRIAL DISTRICT, Special Land Uses**

(C) Special land uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

(1) Convenience services which in the opinion of the Planning Commission intend to serve the daily needs of persons working in the M-1 District. Such uses include restaurants or other places serving food

or beverage, except those having the character of drive-ins, automobile service stations, newsstands and tobacco shops.

(2) Major and minor vehicle repair centers, painting and varnishing shops, undercoating shops.

(3) Lumber and planing mills.

(4) Automobile or other machinery assembly plants.

(5) Canning factories (but not including slaughtering or rendering).

(6) Storage facilities for building materials, sand, gravel, stone, lumber, open storage or construction contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall on those sides abutting R-1A through R-1 C, R-2, RM, RM-1, O-1, B-1, B-2, or B-3 Districts and on any front yard abutting public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall be not less than four and one-half feet in height and may, depending upon land usage, be required to be eight feet in height, and shall be subject further to the requirements of §§ 155.071 through 155.082. Junk yards, when permitted, shall be entirely enclosed within an obscuring masonry wall six feet in height on all sides of sufficient strength to serve as a retaining wall. All applications for junk yards must receive the approval of the Mayor and the City Council as prescribed in §§ 155.271 through 155.275, Powers and Duties of Boards, Commissions and Departments.

(7) Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

(8) Metal working, stamping, punching or pressing machines, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

(9) Greenhouse and florist operations involving the growing, wholesaling and/or retailing of plant materials.

(10) Other uses of a similar and no more objectionable character, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.

(11) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.

(12) Wireless towers and antennas, subject to the requirements of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.

(13) Greenhouses.

(14) Manufactured housing communities, subject to requirements of § 155.140.

(15) Charitable gaming room customarily accessory to a use permitted (principal or subject to special land use) in the M-1 District such as a fraternal organization or lodge hall subject to the regulations of § 155.145.

(16) Medical marijuana cultivation facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(17) Medical marijuana processing facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(18) Medical marijuana testing facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(19) Medical marijuana transportation facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(20) Recreational Marijuana Grower establishments subject to the regulations of §155.021 and §155.150D



(21) Recreational Marijuana Processing establishments subject to the regulations of §155.021 and §155.150F

(22) Recreational Marijuana Safety Compliance establishments subject to the regulations of §155.021 and §155.150H.

(23) Recreational Marijuana Secure Transporter establishments subject to the regulations of §155.021 and §155.150G.

**§ 155.146 STANDARDS FOR ALL MEDICAL MARIJUANA FACILITIES and RECREATIONAL MARIJUANA ESTABLISHMENTS.**

(A) The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, Medical Marihuana Facilities Licensing Act, State of Michigan regulations for the transfer of medical marijuana, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time. The recreational use of marijuana shall comply at all times and in all circumstances with the Michigan Regulation and Taxation of Marihuana Act, the rules and regulations established by the Marijuana Regulatory Agency, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.

(B) A state license and local business license is required for all medical marijuana facilities and recreational marijuana establishments.

(C) Smoking and/or use of ~~medical~~ any marijuana products shall be prohibited at all medical marijuana facilities and recreational marijuana establishments.

(D) Security cameras shall be installed and maintained; and are subject to approval by the City Police Chief. All security cameras shall have a minimum resolution of 1080p, and at least 14 concurrent days of digitally recorded documentation. The security cameras shall be in operation 24 hours a day, seven days

a week, and shall be set to maintain the record of the prior 14 days of continuous operation. An alarm system is required that is operated and monitored by a recognized security company.

(E) Exterior lighting shall be required for security purposes, but in accordance with the provisions of the Zoning Ordinance.

(F) The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

(G) Quarterly inspections may be made by the City Official's designee to confirm the facility is operating in accordance with applicable laws including, but not limited to, state law and city ordinances.

(H) ~~Any~~ All medical marijuana facilities or recreational marijuana establishments shall not have exterior signage using the word "marihuana" and/or "marijuana" or any other word, phrase or picture commonly understood to refer to marijuana. Neon signs and non-functional decorative lighting shall be prohibited. Sign(s) shall be posted stating that "No loitering is permitted" on such property.

(I) If the medical marijuana facility or recreational marijuana establishment ceases operation for a length of time of six months or greater, the special land use shall expire.

#### **§ 155.148 MEDICAL MARIJUANA PROVISIONING CENTERS**

(A) A provisioning center shall not be located within a 500 foot radius of a school, measured as the shortest distance from front door to front door.

(B) A provisioning center shall not be located within a 1,000 foot radius, measured as the shortest distance from front door to front door, of a lawfully existing medical marijuana provisioning center or recreational marijuana retailer unless the recreational retailer is operated by the same owner and within the same building as the medical marijuana provisioning center.

(C) A provisioning center shall not share office space with a physician.

(D) Growing, cultivating, manufacturing, or processing of medical marijuana is prohibited.

(E) All activity related to the provisioning center shall be done indoors.

(F) Any medical marijuana provisioning center shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana provisioning center does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended, and applicable State of Michigan rules and regulations.

(G) Provisioning center drive-through facilities shall be prohibited.

(H) All medical marijuana shall be contained within the main building in an enclosed, locked facility.

(I) Application for a Medical Marijuana Provisioning Center License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Provisioning Center License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

(J) The sale, consumption, or use of alcohol or tobacco products on the premises shall be prohibited at the provisioning center.

#### **§ 155.148 MEDICAL MARIJUANA PROVISIONING CENTERS**

(A) A provisioning center shall not be located within a 500 foot radius of a school, measured as the shortest distance from front door to front door.

(B) A provisioning center shall not be located within a 1,000 foot radius, measured as the shortest distance from front door to front door, of a lawfully existing medical marijuana provisioning center or recreational marijuana retailer unless the recreational retailer is operated by the same owner and within the same building as the medical marijuana provisioning center.

(C) A provisioning center shall not share office space with a physician.

(D) Growing, cultivating, manufacturing, or processing of medical marijuana is prohibited.

(E) All activity related to the provisioning center shall be done indoors.

(F) Any medical marijuana provisioning center shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana provisioning center does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended, and applicable State of Michigan rules and regulations.

(G) Provisioning center drive-through facilities shall be prohibited.

(H) All medical marijuana shall be contained within the main building in an enclosed, locked facility.

(I) Application for a Medical Marijuana Provisioning Center License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Provisioning Center License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

(J) The sale, consumption, or use of alcohol or tobacco products on the premises shall be prohibited at the provisioning center.

~~(K) Provisioning centers may have more than one caregiver.~~

#### § 155.150D. RECREATIONAL MARIJUANA GROWER ESTABLISHMENT

(A) Recreational marijuana grower establishments shall have a minimum 300-foot radius, measured as the shortest distance from front door to front door, to any structure in residentially zoned districts, and a minimum 500 foot radius, measured as the shortest distance from front door to front door to any library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility.

(B) All activity related to recreational marijuana grower establishments shall be done indoors.

(C) All permit holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards.

(D) Application for a recreational marijuana grower establishment license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana grower establishment license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

#### § 155.150E. RECREATIONAL MARIJUANA RETAILER ESTABLISHMENT

(A) A recreational marijuana retailer establishment shall not be located within a 500 foot radius of a school, measured as the shortest distance from front door to front door.

(B) Recreational marijuana retailer establishment shall not be located within a 1,000 foot radius, measured as the shortest distance from front door to front door, of a lawfully existing medical marijuana provisioning center or recreational marijuana retailer establishment, unless the medical

marijuana provisioning center is operated by the same owner and within the same building as the recreational marijuana retailer.

(C) Growing, cultivating, manufacturing, or processing of marijuana is prohibited.

(D) All activity related to the recreational marijuana retailer establishment shall be done indoors.

(E) All recreational marijuana retailer establishment shall comply with all rules and regulations established by the Marijuana Regulatory Agency.

(F) Recreational marijuana retailer establishment drive-through facilities shall be prohibited.

(G) All marijuana shall be contained within the main building in an enclosed, locked facility.

(H) Application for a recreational marijuana retailer establishment license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana retailer establishment license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

(I) The sale, consumption, or use of alcohol or tobacco products on the premises shall be prohibited at the provisioning center.

#### **§ 155.150F RECREATIONAL MARIJUANA PROCESSING ESTABLISHMENT.**

(A) Recreational marijuana processing establishments shall have a minimum 300-foot radius, measured as the shortest distance from front door to front door, to any structure in residentially zoned districts, and a minimum 500 foot radius, measured as the shortest distance from front door to front door to any library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility.

(B) All marijuana shall be contained indoors within the main building in an enclosed, locked facility.

(C) All permit holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards.

(D) Application for a recreational marijuana processing establishment license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana processing establishments license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

#### **§ 155.150G RECREATIONAL MARIJUANA SECURE TRANSPORTER.**

(A) All marijuana shall be stored indoors within the main building in an enclosed, locked facility when not actively in transit.

(B) Application for a recreational marijuana secure transporter license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana secure transporter license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

#### **§ 155.150H RECREATIONAL MARIJUANA SAFETY COMPLIANCE ESTABLISHMENT.**

(A) Recreational marijuana safety compliance establishments shall have a minimum 500 foot radius, measured as the shortest distance from front door to front door to any child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility.

(B) All recreational marijuana safety compliance establishments shall have a secured laboratory space that cannot be accessed by the general public.

(C) All marijuana shall be contained indoors within the main building in an enclosed, locked facility.

(D) All permit holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards.

(E) Application for a recreational marijuana safety compliance establishment license shall be made to the City Clerk upon application forms provided by the Clerk for a recreational marijuana safety compliance establishment license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

TA 19-23

Draft Zoning Text Amendments for Recreational Marijuana

City of Inkster

10/23/2019

- In § 155.021 "Conflict Of Laws and Prohibited Land Uses", include Recreational Marijuana facilities.
- In § 155.029 "Definitions", include definitions for various Recreational Marijuana facilities.
- In § 155.036 "Schedule Of Land Uses", include Recreational Marijuana facilities in appropriate places.
- In § 155.045 (D) "B-1 Local Business District, Special Land Uses", establish appropriate Recreational Marijuana facilities as a special land use.
- In § 155.046 (D) "B-2 Thoroughfare Mixed Use District, Special Land Uses", establish appropriate Recreational Marijuana facilities as a special land use.
- In § 155.047 (D) "B-3 General Business District, Special Land Uses", establish appropriate Recreational Marijuana facilities as a special land use.
- In § 155.048 (C) "M-1 Light Industrial District, Special Land Uses", establish appropriate Recreational Marijuana facilities as a special land use.
- In § 155.049 (C) "TCD Town Center District, Special Land Uses", establish appropriate Recreational Marijuana facilities as a special land use.
- In § 155.146 "Standards for All Medical Marijuana Facilities" include Recreational Marijuana facilities.
- Establish new zoning ordinance section and special land use standards for § 155.155D "Recreational Marijuana Grower".
- Establish new zoning ordinance section and special land use standards for § 155.155E "Recreational Marijuana Retailer".
- Establish new zoning ordinance section and special land use standards for § 155.155F "Recreational Marijuana Processor".
- Establish new zoning ordinance section and special land use standards for § 155.155G "Recreational Marijuana Secure Transporter".
- Establish new zoning ordinance section and special land use standards for § 155.155H "Recreational Marijuana Safety Compliance Facility".

**§ 155.021. CONFLICT OF LAWS AND PROHIBITED LAND USES.**

(A) Uses not expressly permitted are prohibited. Uses for enterprises or purposes that are contrary to federal, state or local laws or ordinances are prohibited.

(B) This prohibition shall not apply to the following:

(1) A qualifying patient engaged in the medical use of marijuana in his or her own residence in accordance with the Michigan Medical Marijuana Act.

(2) A primary caregiver assisting a qualifying patient with whom he or she is connected through the Michigan Department of Community Health's registration process with the medical use of marijuana in accordance with the Michigan Medical Marijuana Act.

(3) A facility licensed by the city and the State of Michigan in compliance with Public Act 281 of 2016, the Medical Marijuana Facilities Licensing Act, as amended.



(4) A recreational marijuana establishment licensed by the city and the State of Michigan in compliance with initiated Law 1 of 2018, MCL 333.27951, et seq., the Michigan Regulation and Taxation of Marihuana Act.

**§ 155.029. DEFINITIONS.** (Add the following definitions)

"Recreational Marijuana Establishment" means a marijuana grower, marijuana safety compliance facility, marijuana processor, marijuana retailer, marijuana secure transporter, or any other type of marijuana-related business licensed by the department.

"Recreational Marijuana Grower" means a person licensed to cultivate marijuana and sell or otherwise transfer marijuana to marijuana establishments as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Processor" means a person licensed to obtain marijuana from marijuana establishments; process and package marijuana; and sell or otherwise transfer marijuana to marijuana establishments, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Retailer" means a person licensed to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years of age or older, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Secure Transporter" means a person licensed to obtain marijuana from marijuana establishments in order to transport marijuana to marijuana establishments, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

"Recreational Marijuana Safety Compliance Facility" means a person licensed to test marijuana, including certification for potency and the presence of contaminants, as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.

**§ 155.036. SCHEDULE OF LAND USES**

Table 2-1. Schedule of Land Uses displays specific land uses in reference to their respective zoning districts. The schedule is general and intended to provide initial guidance for users. A complete list with land use conditions is set forth in §§ 155.041 through 155.049. Regulations in §§ 155.041 through 155.049 take precedent over Table 2-1 below.

**Table 2-1 Schedule of Land Uses by Zoning District**

|                                                            | Zoning Districts |     |      |     |     |     |     |     |     |
|------------------------------------------------------------|------------------|-----|------|-----|-----|-----|-----|-----|-----|
|                                                            | R-1              | RM  | RM-1 | O-1 | B-1 | B-2 | B-3 | M-1 | TCD |
|                                                            | A, B,<br>C       |     |      |     |     |     |     |     |     |
| <b>Residential Land Use Types</b>                          |                  |     |      |     |     |     |     |     |     |
| One-Family Detached Dwelling                               | P                | P   | P    |     |     |     |     |     | P   |
| Two-Family Dwellings/Duplexes                              |                  | P   | P    |     |     |     |     |     |     |
| Townhomes (2 story max.)                                   |                  | P   | P    |     |     | P   |     |     |     |
| Townhomes (3 story max.)                                   |                  | SLU |      |     |     |     |     |     |     |
| Multiple-Family Dwellings (2 story max.)                   |                  | P   | P    |     |     |     |     |     | P   |
| Multiple-Family Dwellings (3 story max.)                   |                  | SLU | P    |     |     | P   |     |     | P   |
| Multiple-Family Dwellings (4+ stories)                     |                  |     | SLU  |     |     |     |     |     | P   |
| Mixed-Use Residential and Business (Lofts)                 |                  |     |      |     | SLU | SLU |     |     | SLU |
| Manufactured Housing Community                             |                  |     |      |     |     |     | SLU | SLU |     |
| <b>Public/Quasi-Public Land Use Types</b>                  |                  |     |      |     |     |     |     |     |     |
| Charitable Gaming Room                                     |                  |     |      |     |     | SLU | SLU | SLU | P   |
| Child/Adult Foster Care (6 or less persons)                | P                | P   | P    |     |     |     |     |     | P   |
| Child/Adult Foster Care (7, but fewer than twelve persons) | SLU              | SLU | SLU  |     |     |     |     |     |     |

|                                                                                   |     |     |     |     |     |       |     |   |     |
|-----------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-------|-----|---|-----|
| Assisted Living Facilities/Elderly Housing                                        |     | SLU | SLU |     |     | SLU   | SLU |   |     |
| Nursing and Convalescent Homes                                                    |     | SLU | SLU | SLU |     | SLU   |     |   |     |
| Transient Residential and Rooming Houses                                          |     |     |     |     |     | SLU   | SLU |   |     |
| Publicly Owned Libraries                                                          | P   | P   | P   | P   |     |       |     |   | P   |
| Publicly Owned Parks and Parkways                                                 | P   | P   | P   | P   |     |       |     |   | P   |
| Publicly Owned Recreation Facilities                                              | P   | P   | P   | P   |     |       |     |   | P   |
| Post Offices and Similar Government Offices                                       |     |     |     | P   |     | P     | P   |   | P   |
| Utility and Public Owned Buildings w/o storage yards                              | SLU | SLU | SLU | SLU | SLU | P/SLU | P   | P | P   |
| General Hospitals                                                                 |     |     | SLU |     |     |       | SLU |   |     |
| Religious institutions and Incidental Facilities                                  | SLU | SLU | SLU |     | SLU | SLU   | SLU |   | SLU |
| Cemeteries                                                                        | P   | P   | P   |     |     |       |     |   |     |
| Private Noncommercial Recreational Areas                                          | SLU | SLU | SLU |     |     |       |     |   |     |
| Institutional or Community Recreation Centers                                     | SLU | SLU | SLU |     |     |       |     |   | P   |
| Golf Courses                                                                      | SLU |     |     |     |     |       |     |   |     |
| Non-Profit Public, Parochial and Private Elementary, Intermediate or High Schools | SLU | SLU | SLU |     |     | SLU   | SLU |   |     |

|                                                                                |     |     |     |  |  |     |     |       |   |
|--------------------------------------------------------------------------------|-----|-----|-----|--|--|-----|-----|-------|---|
| Colleges, Universities and Institutions of Higher Learning, Public and Private | SLU | SLU | SLU |  |  |     | SLU |       |   |
| Business Schools and Colleges                                                  |     |     |     |  |  |     | SLU |       |   |
| Vocational Training Centers and Schools                                        |     |     |     |  |  | SLU | SLU |       |   |
| Private For-Profit Schools, Business Schools and Colleges                      |     |     |     |  |  | SLU | SLU |       |   |
| Theaters                                                                       |     |     |     |  |  | SLU | SLU |       | P |
| Assembly Halls                                                                 |     |     |     |  |  | SLU | SLU |       | P |
| Concert Halls                                                                  |     |     |     |  |  | SLU | SLU |       | P |
| Private Clubs                                                                  |     |     |     |  |  | P   | P   | P/SLU |   |
| Fraternal Organizations                                                        |     |     |     |  |  | P   | P   | P/SLU |   |
| Lodge Halls                                                                    |     |     |     |  |  | P   | P   | P/SLU |   |
| <b>Business and Office Land Use Types</b>                                      |     |     |     |  |  |     |     |       |   |
| Adult Businesses and Uses                                                      |     |     |     |  |  |     | SLU |       |   |
| Arcades                                                                        |     |     |     |  |  |     | SLU |       |   |
| Art, Photographic and Design Studios                                           |     |     |     |  |  | P   | P   |       | P |
| Automobile Repair (Minor)                                                      |     |     |     |  |  |     | SLU | SLU   |   |
| Automobile Service Centers (as part of planned shopping center)                |     |     |     |  |  | SLU | SLU |       |   |
| Automobile Service Stations                                                    |     |     |     |  |  |     | SLU | SLU   |   |
| Banks and Similar Financial Institutions                                       |     |     |     |  |  | P   | P   |       | P |

|                                             |   |   |   |   |   |     |       |     |     |
|---------------------------------------------|---|---|---|---|---|-----|-------|-----|-----|
| Bar or Lounge                               |   |   |   |   |   | SLU | SLU   |     | SLU |
| Bus Passenger Stations                      |   |   |   |   |   | P   | P     | P   | P   |
| Cabaret                                     |   |   |   |   |   |     | SLU   |     |     |
| Carry-out Restaurants                       |   |   |   |   |   | SLU | SLU   |     | P   |
| Crafts and Fine Arts<br>(Instruction in)    | P | P | P |   |   | P   | P     |     | P   |
| Computer Centers                            |   |   |   |   |   |     | P     | P   |     |
| Dance, Music and Voice<br>Schools           |   |   |   |   |   | P   | P     |     |     |
| Drive-in Restaurants                        |   |   |   |   |   | SLU | SLU   |     |     |
| Drive-Through Facilities                    |   |   |   |   |   | SLU | SLU   |     |     |
| Drive-Through<br>Restaurants                |   |   |   |   |   | SLU | SLU   |     |     |
| Dry Cleaners                                |   |   |   |   | P | P   | P     |     | P   |
| Electronic Data<br>Processing Centers       |   |   |   |   |   |     | P     | P   |     |
| Fast Food Restaurants<br>w/o drive- through |   |   |   |   |   | SLU | SLU   | SLU |     |
| Firearms sales<br>establishments            |   |   |   |   |   |     | SLU   |     |     |
| Hotels (Full Service)                       |   |   |   |   |   |     | SLU   |     | P   |
| Indoor Commercial<br>Recreation             |   |   |   |   |   | SLU | SLU/P |     | P   |
| Kennel, Commercial                          |   |   |   |   |   |     | SLU   |     | P   |
| Liquor, Beer and Wine<br>Sales              |   |   |   |   |   |     | SLU   |     |     |
| Massage Businesses                          |   |   |   |   |   |     | SLU/P |     |     |
| Medical and Dental<br>Laboratories          |   |   |   |   |   | P   | P     |     |     |
| Medical and Dental<br>Offices and Clinics   |   |   |   | P | P | P   | P     |     |     |

|                                                             |     |     |     |     |     |     |     |     |   |
|-------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|---|
| Mortuaries                                                  |     |     |     |     |     | P   | P   |     |   |
| Motels                                                      |     |     |     |     |     |     | SLU |     |   |
| New and Used Vehicle Sales (Indoor)                         |     |     |     |     |     |     | SLU |     |   |
| New and Used Vehicle Sales (Outdoor)                        |     |     |     |     |     |     | SLU |     |   |
| Nursery Schools, Day Nurseries and Child/Adult Care Centers | SLU | SLU | SLU | SLU | SLU | SLU | P   |     | P |
| Office Equipment - Sales and Service                        |     |     |     |     |     | P   | P   |     |   |
| Open Air Businesses                                         |     |     |     |     |     | SLU | SLU |     |   |
| Pawnshops                                                   |     |     |     |     |     |     | SLU |     |   |
| Personal Service Establishments                             |     |     |     |     | P   | P   | P   |     | P |
| Professional and Financial Services                         |     |     |     |     |     | P   | P   |     | P |
| Professional Offices                                        |     |     |     | P   |     | P   | P   |     | P |
| Public Utility Offices w/o storage yards                    |     |     |     | P   |     | P   | P   | P   |   |
| Retail Reproduction Services                                |     |     |     |     |     | P   | P   | P   | P |
| Retail Businesses (Convenience)                             |     |     |     |     | P   | P   | P   | SLU | P |
| Retail (within enclosed building)                           |     |     |     |     |     | P   | P   |     | P |
| Secondhand Stores                                           |     |     |     |     |     | SLU | SLU |     |   |
| Showrooms and Workshops                                     |     |     |     |     |     | P   | P   | P   |   |
| Specially designated distributor (SDD)                      |     |     |     |     |     |     | SLU |     |   |

|                                                                                                 |  |  |  |  |  |     |     |     |   |
|-------------------------------------------------------------------------------------------------|--|--|--|--|--|-----|-----|-----|---|
| Specially designated merchant (SDM).                                                            |  |  |  |  |  |     | SLU |     |   |
| Standard Restaurants                                                                            |  |  |  |  |  | P   | P   | SLU | P |
| Substance Abuse Rehabilitation Clinics                                                          |  |  |  |  |  |     | SLU |     |   |
| Tattoo Establishments                                                                           |  |  |  |  |  | SLU | SLU |     |   |
| Temporary Pop-Up Retail Commercial Use                                                          |  |  |  |  |  | P   | P   |     | P |
| Vehicle Wash Establishments                                                                     |  |  |  |  |  |     | SLU |     |   |
| Veterinary Hospitals and Clinics                                                                |  |  |  |  |  | P   | P   |     |   |
| <b>Industrial Land Use Types</b>                                                                |  |  |  |  |  |     |     |     |   |
| Automobile or other machinery assembly plants                                                   |  |  |  |  |  |     |     | SLU |   |
| Automobile and Vehicle Repair (Major), including Collision, Transmission and Undercoating Shops |  |  |  |  |  |     |     | SLU |   |
| Canning Factories                                                                               |  |  |  |  |  |     |     | SLU |   |
| Central Dry Cleaning Plants (no retail permitted)                                               |  |  |  |  |  |     |     | P   |   |
| Greenhouse and Similar Uses                                                                     |  |  |  |  |  |     |     | SLU |   |
| Laboratories                                                                                    |  |  |  |  |  |     |     | P   |   |
| Lumber and Planing Mills                                                                        |  |  |  |  |  |     |     | SLU |   |
| Manufacturing and Assembly Operations (enclosed; not including large stampings)                 |  |  |  |  |  |     |     | P   |   |

|                                                                                                |   |     |     |   |     |   |     |     |  |
|------------------------------------------------------------------------------------------------|---|-----|-----|---|-----|---|-----|-----|--|
| Metal Plating and Similar Uses                                                                 |   |     |     |   |     |   |     | SLU |  |
| Metal Stamping and Similar Uses                                                                |   |     |     |   |     |   |     | SLU |  |
| Painting and Varnishing Shops                                                                  |   |     |     |   |     |   |     | SLU |  |
| Reproduction Plants                                                                            |   |     |     |   |     |   |     | P   |  |
| Research and Development Facilities                                                            |   |     |     |   |     |   | SLU | P   |  |
| Self-Service Storage Facilities                                                                |   |     |     |   |     |   | SLU | P   |  |
| Sign Repair/Manufacturing                                                                      |   |     |     |   |     |   |     | P   |  |
| Storage Yards for Public Utilities                                                             |   |     |     |   |     |   |     | P   |  |
| Storage Facilities for Building Materials, Contractor's Equipment, Open Storage and Junk Yards |   |     |     |   |     |   |     | SLU |  |
| Trade or Industrial Schools                                                                    |   |     |     |   |     |   |     | P   |  |
| Truck and Terminal Facilities                                                                  |   |     |     |   |     |   |     | P   |  |
| Utility and Public Service Buildings w/o storage yards                                         |   | SLU | SLU | P | SLU | P | P   | P   |  |
| Vehicle and Machinery Assembly Plants                                                          |   |     |     |   |     |   |     | SLU |  |
| Warehouse and Wholesale Businesses                                                             |   |     |     |   |     |   |     | P   |  |
| <b>Miscellaneous Land Use Types</b>                                                            |   |     |     |   |     |   |     |     |  |
| Accessory Buildings and Structures                                                             | P | P   | P   | P | P   | P | P   | P   |  |



|                                                 |     |     |     |     |     |     |     |     |     |
|-------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Accessory Businesses                            |     |     |     | P   | P   | P   | P   | P   | P   |
| Accessory Uses                                  |     |     |     | P   | P   | P   | P   | P   |     |
| Agricultural (5+ acres)                         | P   | P   | P   |     |     |     |     |     |     |
| Amateur Radio Antenna                           | SLU | SLU | SLU | SLU | SLU | SLU | SLU | SLU |     |
| Automobile Parking                              | P   | P   | P   | P   | P   | P   | P   | P   | P   |
| Electric Transformer Stations w/o storage yards |     |     |     |     |     | SLU | P   | P   |     |
| Gas Regulator Stations w/o storage yards        |     |     |     |     |     | SLU | P   | P   |     |
| Medical Marijuana Cultivation Facility          |     |     |     |     |     |     |     | SLU |     |
| Medical Marijuana Provisioning Center           |     |     |     |     | SLU | SLU | SLU |     | SLU |
| Medical Marijuana Processing Facility           |     |     |     |     |     |     |     | SLU |     |
| Medical Marijuana Testing Facility              |     |     |     |     |     |     |     | SLU |     |
| Medical Marijuana Transportation Facility       |     |     |     |     |     |     |     | SLU |     |
| Recreational Marijuana Grower                   |     |     |     |     |     |     |     | SLU |     |
| Recreational Marijuana Processing               |     |     |     |     |     |     |     | SLU |     |
| Recreational Marijuana Retailer                 |     |     |     |     | SLU | SLU | SLU |     | SLU |
| Recreational Marijuana Safety Compliance        |     |     |     |     |     |     |     | SLU |     |
| Recreational Marijuana Transporter              |     |     |     |     |     |     |     | SLU |     |
| Telephone Exchanges w/o storage yards           |     |     |     |     |     | SLU | P   | P   |     |

|                                                         |   |   |   |  |  |     |     |     |  |
|---------------------------------------------------------|---|---|---|--|--|-----|-----|-----|--|
| Temporary Buildings for Construction                    | P | P | P |  |  |     |     |     |  |
| Water and Sewage Pumping Stations w/o storage yards     |   |   |   |  |  | SLU | P   | P   |  |
| Wireless Towers and Antennas                            |   |   |   |  |  |     | SLU | SLU |  |
| <b>Notes: P = Permitted Use, SLU = Special Land Use</b> |   |   |   |  |  |     |     |     |  |

**§ 155.045 (D). B-1 LOCAL BUSINESS DISTRICT, Special Land Uses**

(D) Special land uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Land Use Standards, and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

- (1) Mixed-use business and residential buildings.
- (2) Nursery schools, day nurseries and child care centers (not including dormitories).
- (3) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless

Communication Towers and Antennas.

- (4) Utility and public service buildings without storage yards.
- (5) Publicly owned buildings without storage yards.
- (6) Medical marijuana provisioning centers subject to the regulations of § 155.148.
- (7) Religious institutions.
- (8) Recreational Marijuana Retailer subject to the regulations of § 155.150E

**§ 155.046 (D). B-2 THOROUGHFARE MIXED USE DISTRICT, Special Land Uses**

(D) Special land use. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

(1) Open air business uses when developed in planned relationship with permitted uses within the B-2 District.

(2) Bowling alley, billiard hall, indoor archery range, or indoor skating rink, or similar forms of indoor commercial recreation when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent residential district. Firearm ranges are expressly prohibited.

(3) Public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards but without storage yards, water and sewage pumping stations.

(4) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping center; and provided further that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.

(5) Nursing and convalescent homes.

(6) Senior housing, assisted living and similar types of housing for the elderly not to exceed a height of three stories.

(7) Carry-out, fast food, drive-thru or drive-in restaurants.

(8) Mixed-use business and residential buildings.

(9) Business schools and colleges, or vocational training centers, such as trade schools.

(10) Nursery schools, day nurseries and child care centers.

(11) Theaters, assembly halls, concert halls or similar places of assembly when conducted within enclosed buildings, subject to the requirements of § 155.218.

(12) Private schools operated for profit.

(13) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.

(14) Utility and public service buildings without storage yards.

(15) Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education, not operated for profit.

(16) Tattoo parlors.

(17) Charitable gaming room subject to the regulations of § 155.145.

(18) Medical marijuana provisioning centers subject to the regulations of § 155.148.

(19) Second hand stores.

(20) Religious institutions.

(21) Bar or lounge.

(22) Recreational Marijuana Retailer subject to the regulations of § 155.150E

**§ 155.048 (C). M-1 LIGHT INDUSTRIAL DISTRICT, Special Land Uses**

(C) Special land uses. The following uses shall be permitted, subject to the conditions set forth in this subchapter, §§ 155.111 through 155.142, Special Land Use Standards and all applicable codes and ordinances set forth in this chapter and other codes and regulations hereinafter imposed for each use. The following uses are subject further to the review and approval of the Planning Commission per standards set forth in this chapter:

(1) Convenience services which in the opinion of the Planning Commission intend to serve the daily needs of persons working in the M-1 District. Such uses include restaurants or other places serving food

or beverage, except those having the character of drive-ins, automobile service stations, newsstands and tobacco shops.

(2) Major and minor vehicle repair centers, painting and varnishing shops, undercoating shops.

(3) Lumber and planing mills.

(4) Automobile or other machinery assembly plants.

(5) Canning factories (but not including slaughtering or rendering).

(6) Storage facilities for building materials, sand, gravel, stone, lumber, open storage or construction contractor's equipment and supplies, provided such is enclosed within a building or within an obscuring wall on those sides abutting R-1A through R-1 C, R-2, RM, RM-1, O-1, B-1, B-2, or B-3 Districts and on any front yard abutting public land or thoroughfare. In M-1 Districts the extent of such wall may be determined by the Planning Commission on the basis of usage. Such wall shall be not less than four and one-half feet in height and may, depending upon land usage, be required to be eight feet in height, and shall be subject further to the requirements of §§ 155.071 through 155.082. Junk yards, when permitted, shall be entirely enclosed within an obscuring masonry wall six feet in height on all sides of sufficient strength to serve as a retaining wall. All applications for junk yards must receive the approval of the Mayor and the City Council as prescribed in §§ 155.271 through 155.275, Powers and Duties of Boards, Commissions and Departments.

(7) Metal plating, buffing and polishing, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

(8) Metal working, stamping, punching or pressing machines, subject to appropriate measures to control the type of process to prevent noxious results and/or nuisances.

(9) Greenhouse and florist operations involving the growing, wholesaling and/or retailing of plant materials.

(10) Other uses of a similar and no more objectionable character, and which will not be injurious or have an adverse effect on adjacent areas, and may therefore be permitted subject to such conditions, restrictions and safeguards as may be deemed necessary in the interest of public health, safety and welfare.

(11) Amateur radio antenna, subject to regulations of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.

(12) Wireless towers and antennas, subject to the requirements of §§ 155.211 through 155.217, Wireless Communication Towers and Antennas.

(13) Greenhouses.

(14) Manufactured housing communities, subject to requirements of § 155.140.

(15) Charitable gaming room customarily accessory to a use permitted (principal or subject to special land use) in the M-1 District such as a fraternal organization or lodge hall subject to the regulations of § 155.145.

(16) Medical marijuana cultivation facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(17) Medical marijuana processing facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(18) Medical marijuana testing facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(19) Medical marijuana transportation facilities subject to the regulations of § 155.021 (Conflict of laws and prohibited land uses).

(20) Recreational Marijuana Grower establishments subject to the regulations of §155.021 and §155.150D

(21) Recreational Marijuana Processing establishments subject to the regulations of §155.021 and §155.150F

(22) Recreational Marijuana Safety Compliance establishments subject to the regulations of §155.021 and §155.150H.

(23) Recreational Marijuana Secure Transporter establishments subject to the regulations of §155.021 and §155.150G.

**§ 155.146 STANDARDS FOR ALL MEDICAL MARIJUANA FACILITIES and RECREATIONAL MARIJUANA ESTABLISHMENTS.**

(A) The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, Medical Marihuana Facilities Licensing Act, State of Michigan regulations for the transfer of medical marijuana, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time. The recreational use of marijuana shall comply at all times and in all circumstances with the Michigan Regulation and Taxation of Marihuana Act, the rules and regulations established by the Marijuana Regulatory Agency, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time.

(B) A state license and local business license is required for all medical marijuana facilities and recreational marijuana establishments.

(C) Smoking and/or use of any marijuana products shall be prohibited at *all* medical marijuana facilities and recreational marijuana establishments.

(D) Security cameras shall be installed and maintained; and are subject to approval by the City Police Chief. All security cameras shall have a minimum resolution of 1080p, and at least 14 concurrent days of digitally recorded documentation. The security cameras shall be in operation 24 hours a day, seven days

a week, and shall be set to maintain the record of the prior 14 days of continuous operation. An alarm system is required that is operated and monitored by a recognized security company.

(E) Exterior lighting shall be required for security purposes, but in accordance with the provisions of the Zoning Ordinance.

(F) The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.

(G) Quarterly inspections may be made by the City Official's designee to confirm the facility is operating in accordance with applicable laws including, but not limited to, state law and city ordinances.

(H) All medical marijuana facilities or recreational marijuana establishments shall not have exterior signage using the word "marihuana" and/or "marijuana" or any other word, phrase or picture commonly understood to refer to marijuana. Neon signs and non-functional decorative lighting shall be prohibited. Sign(s) shall be posted stating that "No loitering is permitted" on such property.

(I) If the medical marijuana facility or recreational marijuana establishment ceases operation for a length of time of six months or greater, the special land use shall expire.

#### **§ 155.148 MEDICAL MARIJUANA PROVISIONING CENTERS**

(A) A provisioning center shall not be located within a 500 foot radius of a school, measured as the shortest distance from front door to front door.

(B) A provisioning center shall not be located within a 1,000 foot radius, measured as the shortest distance from front door to front door, of a lawfully existing medical marijuana provisioning center or recreational marijuana retailer unless the recreational retailer is operated by the same owner and within the same building as the medical marijuana provisioning center.

(C) A provisioning center shall not share office space with a physician.

(D) Growing, cultivating, manufacturing, or processing of medical marijuana is prohibited.

(E) All activity related to the provisioning center shall be done indoors.



(F) Any medical marijuana provisioning center shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana provisioning center does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended, and applicable State of Michigan rules and regulations.

(G) Provisioning center drive-through facilities shall be prohibited.

(H) All medical marijuana shall be contained within the main building in an enclosed, locked facility.

(I) Application for a Medical Marijuana Provisioning Center License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Provisioning Center License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

(J) The sale, consumption, or use of alcohol or tobacco products on the premises shall be prohibited at the provisioning center.

#### **§ 155.148 MEDICAL MARIJUANA PROVISIONING CENTERS**

(A) A provisioning center shall not be located within a 500 foot radius of a school, measured as the shortest distance from front door to front door.

(B) A provisioning center shall not be located within a 1,000 foot radius, measured as the shortest distance from front door to front door, of a lawfully existing medical marijuana provisioning center or recreational marijuana retailer unless the recreational retailer is operated by the same owner and within the same building as the medical marijuana provisioning center.

(C) A provisioning center shall not share office space with a physician.

(D) Growing, cultivating, manufacturing, or processing of medical marijuana is prohibited.

(E) All activity related to the provisioning center shall be done indoors.

(F) Any medical marijuana provisioning center shall maintain a log book and/or database identifying by date the amount of medical marijuana on the premises for each qualifying patient/caregiver, keeping the qualifying patient and caregiver information confidential. This log shall be available to law enforcement personnel to confirm that the medical marijuana provisioning center does not have more medical marijuana than authorized at the location and shall not be used to disclose more information than is reasonably necessary to verify the lawful amount of medical marijuana at the facility. The facility shall maintain the confidentiality of qualifying patients in compliance with the Michigan Medical Marijuana Act, as amended, and applicable State of Michigan rules and regulations.

(G) Provisioning center drive-through facilities shall be prohibited.

(H) All medical marijuana shall be contained within the main building in an enclosed, locked facility.

(I) Application for a Medical Marijuana Provisioning Center License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Provisioning Center License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

(J) The sale, consumption, or use of alcohol or tobacco products on the premises shall be prohibited at the provisioning center.

**§ 155.150D. RECREATIONAL MARIJUANA GROWER ESTABLISHMENT**

(A) Recreational marijuana grower establishments shall have a minimum 300-foot radius, measured as the shortest distance from front door to front door, to any structure in residentially zoned districts, and a minimum 500 foot radius, measured as the shortest distance from front door to front door to any library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility.

(B) All activity related to recreational marijuana grower establishments shall be done indoors.

(C) All permit holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards.

(D) Application for a recreational marijuana grower establishment license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana grower establishment license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

**§ 155.150E. RECREATIONAL MARIJUANA RETAILER ESTABLISHMENT**

(A) A recreational marijuana retailer establishment shall not be located within a 500 foot radius of a school, measured as the shortest distance from front door to front door.

(B) Recreational marijuana retailer establishment shall not be located within a 1,000 foot radius, measured as the shortest distance from front door to front door, of a lawfully existing medical marijuana provisioning center or recreational marijuana retailer establishment, unless the medical marijuana provisioning center is operated by the same owner and within the same building as the recreational marijuana retailer.

- (C) Growing, cultivating, manufacturing, or processing of marijuana is prohibited.
- (D) All activity related to the recreational marijuana retailer establishment shall be done indoors.
- (E) All recreational marijuana retailer establishment shall comply with all rules and regulations established by the Marijuana Regulatory Agency.
- (F) Recreational marijuana retailer establishment drive-through facilities shall be prohibited.
- (G) All marijuana shall be contained within the main building in an enclosed, locked facility.
- (H) Application for a recreational marijuana retailer establishment license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana retailer establishment license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.
- (I) The sale, consumption, or use of alcohol or tobacco products on the premises shall be prohibited at the provisioning center.

**§ 155.150F RECREATIONAL MARIJUANA PROCESSING ESTABLISHMENT.**

- (A) Recreational marijuana processing establishments shall have a minimum 300-foot radius, measured as the shortest distance from front door to front door, to any structure in residentially zoned districts, and a minimum 500 foot radius, measured as the shortest distance from front door to front door to any library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility.
- (B) All marijuana shall be contained indoors within the main building in an enclosed, locked facility.
- (C) All permit holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards.

(D) Application for a recreational marijuana processing establishment license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana processing establishments license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

**§ 155.150G RECREATIONAL MARIJUANA SECURE TRANSPORTER.**

(A) All marijuana shall be stored indoors within the main building in an enclosed, locked facility when not actively in transit.

(B) Application for a recreational marijuana secure transporter license shall be made to the City Clerk upon application forms provided by the Clerk for recreational marijuana secure transporter license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

**§ 155.150H RECREATIONAL MARIJUANA SAFETY COMPLIANCE ESTABLISHMENT.**

(A) Recreational marijuana safety compliance establishments shall have a minimum 500 foot radius, measured as the shortest distance from front door to front door to any child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility.

(B) All recreational marijuana safety compliance establishments shall have a secured laboratory space that cannot be accessed by the general public.

(C) All marijuana shall be contained indoors within the main building in an enclosed, locked facility.

(D) All permit holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards.

(E) Application for a recreational marijuana safety compliance establishment license shall be made to the City Clerk upon application forms provided by the Clerk for a recreational marijuana safety compliance establishment license and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council.

## REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: October 29, 2019

From: Adrianna Jordan  
City Planner

Date for Council Consideration: November 4, 2019

**ACTION REQUESTED:** Consider approval of Special Land Uses (SLUs 19-01 and 19-02) for a proposed Medical Marijuana Multi-use Facility to be located at 27181 Southern between Southern between Wiethoff and Sylvia in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission. Rob Kato on behalf of Veritas Collective is the applicant.

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒

Mayor's Approval ☐

### BACKGROUND INFORMATION

On Monday, October 28, 2019, the Planning Commission reviewed and recommended for approval SLUs 19-01 (cultivation), and 19-02 (processing) which would be located in an existing industrial building at 27181 Southern in the M-1, Light Industrial District, subject to the conditions below. The associated Site Plan (SP 19-03) was approved with conditions. As part of their site plan approval, the Planning Commission approved a waiver from the mechanical equipment screening due to its location in the rear adjacent to the railroad tracks; a waiver from the screening wall for the loading and service areas due to the evergreen greenbelt that will be planted in lieu; and a waiver from the parking lot screening wall requirement due to the evergreen greenbelt that will be planted in lieu. City Staff recommended approval of SLU 19-01, SLU 19-02, and SP 19-03. Rob Kato on behalf of Veritas Collective is the applicant. Draft meeting minutes are attached.

The subject property totals 2.65 acres and is located on the south side of Southern between Wiethoff and Sylvia. The proposed re-occupancy and interior renovation includes an approximate 39,132 square foot cultivation facility in Suites 2, 3, and 4, and an approximate 10,990 square foot processing facility in Suite 1. The site plans indicate that there will be 15 employees. The hours of operation are from 9 am to 9 pm, Monday through Friday, 9 am to 6 pm Saturday, and 10 am to 6 pm Sunday.

The Planning Commission's recommendation for approval of the Special Land Uses was subject to the following conditions (review letters and site plans are attached):

1. **Utilities.** The applicant must provide the City with information in writing on whether marijuana cultivation requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity such as solar panels, wind turbines, and rain barrels.

2. **Security.** A security plan must be reviewed and approved by the Police Department, and inspected for approval by the Police upon installation.
3. **Odor Mitigation.** The applicant must provide the City with odor mitigation information on the site plans.
4. **Licenses.** A state license, local business license, and certificate of occupancy must be obtained prior to operations.

### **SCOPE OF SERVICES**

N/A

### **JUSTIFICATION**

The City Planner's letters dated October 23, 2019 recommend that the Planning Commission recommend approval of the Special Land Uses because the proposed uses are compatible with the Zoning Ordinance, Master Plan, and surrounding uses. Additionally, it would foster economic development within the City of Inkster by bringing an existing vacant structure into economic use.

Site maps and plans are attached for review. A full copy of the site plan is available for review in the Planning Department upon request.

### **PROJECT OR IMPROVEMENT TASKS**

1. Develop a plan to diversify the tax base to ensure a sustainable budget for Inkster.

### **COSTS**

All costs are incurred by the petitioner.

### **PROJECT TIME TABLE**

If approved by City Council, Final Site Plan approval will be sought and then the applicant will seek a Certificate of Occupancy form the Building Dept. in order to begin operation.

### **RESOLUTION**

Resolved by \_\_\_\_\_

Seconded by \_\_\_\_\_

To approve Special Land Uses 19-01 (cultivation), and 19-02 (processing) for a Medical Marijuana Multi-use Facility proposed at 27181 Southern between Wiethoff and Sylvia in the M-1, Light Industrial District with the conditions noted per the recommendation of the Planning Commission.

Yes:

No:

Absent:

**CITY OF INKSTER  
PLANNING DIVISION  
26215 TROWBRIDGE  
INKSTER, MI 48141  
313.563.9760/313.563.6488 (fax)**

**PLANNING COMMISSION**

**Monday, October 28, 2019  
6:30 p.m.**

**26215 Trowbridge  
(City Hall Council Chamber)  
Inkster, MI 48141**

**MEETING AGENDA  
Open to the Public**

- I. ROLL CALL
- II. ADOPTION OF AGENDA
- III. ADOPTION OF MINUTES
  - A. Adoption of October 14, 2019 minutes
- IV. PUBLIC HEARING
  - A. **Case # 19-01, 19-02, (SLU) – Medical Marijuana Cultivation and Processing**  
Public Hearing to review and consider special land uses for a proposed Medical Marijuana Cultivation and Processing (SLUs 19-01, 19-02) in the M-1, Light Industrial District at 27181 Southern, between Wiethoff and Sylvia. Rob Kato is the applicant on behalf of Veritas Collective.
  - B. **Case # 19-23 (TA) Recreational Marijuana Ordinance**  
Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for recreational marijuana facilities. Proposed modifications include changes to §155.146 "Standards for All Medical Marijuana Facilities" to include Recreational Marijuana facilities, and establishing §155.155D "Recreational Marijuana Grower", §155.155E "Recreational Marijuana Retailer", §155.155F "Recreational Marijuana Processor", §155.155G "Recreational Marijuana Secure Transporter", and §155.155H "Recreational Marijuana Safety Compliance Facility".
- V. OLD BUSINESS
  - None.



## VI. NEW BUSINESS

- A. **Case # 19-01, 19-02, (SLU) – Medical Marijuana Cultivation and Processing**  
Planning Commission to review and consider recommendation of approval of special land uses for a proposed Medical Marijuana Cultivation and Processing (SLUs 19-01, 19-02) in the M-1, Light Industrial District at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.
- B. **Case # 19-03 (SP) – Consideration of Site Plan Approval for a Medical Marijuana Cultivation and Processing**  
Planning Commission to review and consider approval of a site plan for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.
- C. **Case # 19-03 (SP) – Consideration of an Equipment Screening Wall Waiver**  
Planning Commission to review and consider approval of a mechanical equipment screening wall waiver for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.
- D. **Case # 19-03 (SP) – Consideration of a Loading Zone Screening Waiver**  
Planning Commission to review and consider approval of a service area and loading zone screening wall waiver for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.
- E. **Case # 19-03 (SP) – Consideration of an Off-Street Parking Screening Waiver**  
Planning Commission to review and consider approval of an off-street parking screening wall waiver for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.
- F. **Case # 19-23 (TA) Recreational Marijuana Ordinance**  
Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for recreational marijuana facilities. Proposed modifications include changes to §155.146 "Standards for All Medical Marijuana Facilities" to include Recreational Marijuana facilities, and establishing §155.155D "Recreational Marijuana Grower", §155.155E "Recreational Marijuana Retailer", §155.155F "Recreational Marijuana Processor", §155.155G "Recreational Marijuana Secure Transporter", and §155.155H "Recreational Marijuana Safety Compliance Facility".

## II. MISCELLANEOUS

- A. None.

## III. ADJOURNMENT

## **ITEM III.A**

### **October 14, 2019 Planning Commission Minutes**

**CITY OF INKSTER  
PLANNING COMMISSION  
MINUTES**

A regular meeting was held on **Monday, October 14, 2019**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisholm called the meeting to order at 6:37 p.m.

**I. ROLL CALL**

**Present:** Chairman Chisholm, Vice Chairman Ratliff, Secretary Cain, Nolen, Garrett, Davis, and Williams.

**Absent:** Commissioner Faison (excused), Commissioner Willis

**Others in attendance:** Adrianna Jordan, City Planner  
Kaitlyn Hines, Community Planner  
Abdallah Hachem, Applicant  
Candice Briere, Metro Consulting  
Ali Hammond, Attorney  
Hassan Zeltoun, Midwest Unity

**Public in attendance:** Jewell Jones, State Representative  
Larry Motley  
Sheryl Lightsy  
Paul Bollinger, Inkster Housing  
Tina Grant  
Barbara Cooper  
Christine Day  
LaGina Washington  
Rebecca Daniels  
Monet Taylor  
Mohammed Aptunmabi  
Sandra Watley, Councilwoman  
Darin Carrington, Treasurer

**II. ADOPTION OF AGENDA**

**MOVED** by Garret, Seconded by Ratliff to Adopt the Agenda. **MOTION CARRIED unanimously.**

**III. ADOPTION OF MINUTES OF July 22, 2019**

**MOVED** by Nolen, Seconded by Garret to Adopt the Minutes. **MOTION CARRIED unanimously.**

#### IV. PUBLIC HEARINGS

**A. Case # 18-19, 18-20, 18-21, and 18-22 (SLU) – Medical Marijuana Multi Use Complex**

Public Hearing to review and consider special land uses for a proposed Medical Marijuana Multi-Use Complex (SLUs 18-19, 18-20, 18-21, and 18-22) in the M-1, Light Industrial District on the north and south sides of Industrial, between Henry Ruff and Middlebelt. Abdallah Hachem, on behalf of Midwest Investment Enterprise, is the applicant.

**MOVED** by Nolen, Seconded by Garret to open the public hearing for Case #18-19, 18-20, 18-21, and 18-22 (SLU) – Medical Marijuana Multi Use Complex. **MOTION CARRIED unanimously.**

#### Public Remarks:

1. Larry Motley, Executive Director of the Southwest Block Club, stated that he was against this type of investment within the City and that City should be searching for other investment opportunities so we do not become the marijuana capitol of the world. Mr. Motley then brought up the lack of school system within the City. He also mentioned young people do not want to live here with this much marijuana. He also mentioned that we should introduce a sin tax of 50%.
2. Sheryl Lightsy, a property owner near the proposed facility, complained of fallen trees and of her yard flooding. She also mentioned she was worried about property values going down for nearby properties as they will have to look at the industrial site. Commissioner Nolen replied that the property will be properly screened as part of the zoning requirements.
3. Paul Bollinger, Inkster Housing, asked about the screening of the property as well.
4. Sandra Watley, Councilwoman, was concerned about the impact on the wetlands. Candice Briere, Metro Consulting, assured the audience that the majority of the wetlands will be preserved. Ms. Watley also mentioned that the City is home to many schools, just not a public school system.
5. Tina Grant, a property owner near the proposed facility, asked how this would impact the city socially and in regards to jobs. She also stated that she did not vote for this.
6. Barbara Cooper, concerned citizen and President of the Inkster Goodfellows, asked how close this will be to the neighborhood. Ms. Briere mentioned that it meets the proper setback requirements and that the protected wetlands will be an appropriate barrier.
7. Abe Hachem, the applicant, stated that he has had a business in Inkster since 2012 and has sponsored both the Police and Fire departments. He is invested in this City.
8. Christine Day, a concerned resident, asked how much revenue will be generated, how much the company will make and how much tax revenue will be collected. She also asked if crime would increase in the area. Commissioner Nolen replied that the City will not have any of that information until after the project is built and starts operation. Regarding crime however, the City does not expect it to increase.
9. Sheryl Lightsy had a follow-up question of how many facilities are going to be within the City. The City Planner stated that there are approximately four more currently in the planning process.
10. LaGina Washington, a concerned resident, asked how many residents will be employed by these jobs. She also mentioned that she understands medical marijuana is a positive thing and has seen firsthand how it helps people. Commissioner Nolen stated that the City is currently working on instituting a community benefits agreement.

11. Bishop Wallace, concerned resident, asked if there is a cap on facilities, and is worried that the marijuana industry could stigmatize the city.
12. Tina Grant, a nearby property owner was concerned that marijuana is the lowest common denominator for development and would like the city to raise its standards.
13. Rebecca Daniels, a concerned resident, asked if this has already been approved. Chairman Chisholm replied that this is what the public hearing is for, it has not been approved. Ms. Daniels followed up with asking for more communication from the City regarding these matters. Commissioner Williams mentioned that we send notice to property owners within 300ft of the proposed site, we can try other ways of outreach. Later in the meeting she asked with all of these marijuana facilities, where could a school be located, and asked about caps on facilities. Chairman Chisholm mentioned that the zoning map tells us where any building can go.
14. Monet Taylor, concerned resident, mentioned that she is worried about the air quality in the area, and how long it will take to build the facility. Commissioner Nolen assured her that she shouldn't be able to smell it. Mr. Hachem said it would take about a year to build the facility.
15. Bishop Wallace, concerned resident, asked if the public could tour the existing facility. Commissioner Nolen stated that would require State of Michigan approval.
16. Jeff Carter, resident, mentioned that he lives near the facility that is currently operating and that he can sometimes smell the marijuana when they have their loading doors open.
17. Jewell Jones, State Representative, stated that Abe has been a good steward to the community and that other surrounding communities are now opting in. This would be a missed opportunity for the City.
18. Mohammad Ajetunmobi, resident, mentioned that the City needs to take into account the social equity of the area.
19. Darin Carrington, City Treasurer, addressed comments made earlier by Larry motley regarding taxation. The city cannot levy taxes as it has limited taxing authority.
20. Councilwoman Sandra Watley then asked why there is no cap on cultivation facilities, as there is with dispensaries. Commissioner Nolen said there is limited land for cultivation, so it caps itself.
21. Larry Motley, Executive Director of the Southwest Block Club, asked who was involved in voting regarding the caps on marijuana facilities.
22. Barbara Cooper, concerned citizen and President of the Inkster Goodfellows, expressed concern about effects on residential property values.

Commissioners Concerns:

1. Commissioner Faison requested information via email about the individual applicants, and at what levels any licenses have been granted. Mr. Hachem said he is currently the only applicant as there are no tenants currently lined up.
2. Commissioner Ratliff mentioned that he is not for or against marijuana, and that the commission is just looking at if the project meets the requirements as far as public safety.

**MOVED** by Williams, Seconded by Davis to close the public hearing. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

NONE.

## VII. NEW BUSINESS

### A. **Case # 18-19, 18-20, 18-21, and 18-22 (SLU) – Medical Marijuana Multi Use Complex**

Public Hearing to review and consider recommendation of special land uses for a proposed Medical Marijuana Multi-Use Complex (SLUs 18-19, 18-20, 18-21, and 18-22) in the M-1, Light Industrial District on the north and south sides of Industrial, between Henry Ruff and Middlebelt. Abdallah Hachem, on behalf of Midwest Investment Enterprise, is the applicant.

**MOVED** by Nolen, Seconded by Ratliff to recommend approval of SLU Cases # 18-19, 18-20, 18-21, and 18-22 – Medical Marijuana Multi Use Complex with the following conditions:

1. **Utilities.** The applicant must provide the City with information on whether marijuana cultivation requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity such as solar panels, wind turbines, and rain barrels.
2. **Security.** A security plan must be reviewed and approved by the Police Department, and inspected for approval by the Police upon installation.
3. **Licenses.** A state license, local business license, and certificate of occupancy must be obtained prior to operations.

**MOTION CARRIED unanimously.**

### B. **Case # 18-23 (SP) – Consideration of Site Plan Approval for a Medical Marijuana Multi-Use Complex**

Planning Commission to review and consider approval of a site plan for a proposed Medical Marijuana Multi-Use Complex (SP18-23) in the M-1, Light Industrial District on the north and south sides of Industrial, between Henry Ruff and Middlebelt. Abdallah Hachem, on behalf of Midwest Investment Enterprise, is the applicant.

**MOVED** by Davis, Seconded by Cain for Case # 18-23 (SP) Medical Marijuana Multi-Use Complex with the following conditions:

1. **Walls.** A waiver must be approved by the Planning Commission based on the presence of the natural wooded greenbelt for the required wall between residential and industrial areas.
2. **Security.** The security plan and location of security cameras must be reviewed and approved by the Chief of Police.
3. **Loading.** A loading zone length waiver must be approved by the Planning Commission for Buildings D, F, E, and G.
4. **Phasing.** A phasing plan must be included.
5. **Other Department Comments.** Address all other department comments.

**MOTION CARRIED unanimously.**

### C. **Case # 18-23 (SP) – Consideration of a Screening Wall Waiver**

Planning Commission to review and consider approval of a screening wall waiver for a proposed Medical Marijuana Multi-Use Complex (SP18-23) in the M-1, Light



Industrial District on the north and south sides of Industrial, between Henry Ruff and Middlebelt. Abdallah Hachem, on behalf of Midwest Investment Enterprise, is the applicant.

**MOVED** by Nolen, Seconded by Garret for Case # 18-23 (SP) Consideration of a Screening Wall Waiver. **MOTION CARRIED unanimously.**

- D. **Case # 18-23 (SP) – Consideration of a Loading Zone Length Waiver**  
Planning Commission to review and consider approval of a waiver to reduce the length of the loading zones for buildings D, E, F, and G to 10 feet by 35 feet for a proposed Medical Marijuana Multi-Use Complex (SP18-23) in the M-1, Light Industrial District on the north and south sides of Industrial, between Henry Ruff and Middlebelt. Abdallah Hachem, on behalf of Midwest Investment Enterprise, is the applicant.

Commissioners Concerns:

1. Commissioner Williams asked if the extension from Beech to Industrial will be paved. The City Planner indicated that paving is required.

**MOVED** by Nolen, Seconded by Davis for Case # 18-23 (SP) Consideration of a Loading Zone Length Waiver. **MOTION CARRIED unanimously.**

VIII. MISCELLANEOUS

- A. None.

VIII. ADJOURNMENT – 9:07 pm

**MOVED** by Williams, Seconded by Garrett to adjourn the Planning Commission meeting held on October 14, 2019. **MOTION CARRIED unanimously.**

Respectfully submitted,

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Steven Chisholm, Chairman

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Lynnette O. Cain, Secretary

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Adrianna Jordan, City Planner

## **ITEM VI.A**

### **Cases # 19-01 (SLU) and 19-02 (SLU) – Consideration of Special Land Use Approvals for Medical Marijuana Cultivation and Processing**





**CITY OF INKSTER**

26215 Trowbridge St.  
Inkster, MI 48141  
www.cityofinkster.com  
313.563.4232

October 23, 2019

Planning Commission  
City of Inkster  
26215 Trowbridge  
Inkster, MI 48141

**Subject: SLU19-01 Medical Marijuana Cultivation Facility – Review #3**  
**Location: 27181 Southern**  
**Zoning: M-1, Light Industrial District**  
**Applicant(s): Rob Kato on behalf of Veritas Collective (formerly Veritas Holdings LLC)**

The City of Inkster Planning Department has reviewed the above-referenced Site Plan application for the re-occupancy of an existing 50,122 square foot industrial building for medical marijuana cultivation and processing at 27181 Southern. This development requires public hearings and special land use approvals from City Council for both the cultivation and processing land uses, as well as site plan approval. Planning Staff offers the following comments and findings for your consideration. The initial site plan was received on January 7, 2019, and is dated November 12, 2018. A revised site plan was received on October 23, 2019. Planning Staff conducted a site visit on Thursday, February 7, 2019.

**SITE DESCRIPTION**

The subject property totals 2.65 acres and is located on the south side of Southern between Wiethoff and Sylvia. The site is zoned M-1 (Light Industrial District).

The proposed re-occupancy and interior renovation includes an approximate 39,132 square foot cultivation facility in Suites 2, 3, and 4, and an approximate 10,990 square foot processing facility in Suite 1. BMMR Emergency Rule 24 states that co-located facilities must "have distinct and identifiable areas with designated structures that are contiguous and specific to the state operating license" as well as "separate entrances and exits", and separate street (or suite) addresses. It appears that the layout complies with this BMMR regulation. New information on the application of these rules may be released at any time which may affect the site layout requirements.

The site plans indicate that there will be 15 employees. The hours of operation are from 9 am to 9 pm, Monday through Friday, 9 am to 6 pm Saturday, and 10 am to 6 pm.

## **SPECIAL LAND USES IN M-1 DISTRICT**

Medical marijuana cultivation facilities are a SLU in the M-1 district. We have reviewed the application for compliance with the Inkster Zoning Ordinance regulations, and sound planning and zoning principles, and offer the following comments for your consideration.

### **REVIEW OF SPECIAL LAND USE (§155.289)**

The following standards are applicable to all SLU applications.

1. **Will be harmonious and in accordance with the goals, policies, and actions of the Master Plan.** The site is planned for industrial uses. Typical uses include: manufacturing, assembly, warehousing, salvage facilities research/office and similar uses. In addition, the zoning is M-1 Light Industrial. Accordingly, light industrial, research, and related office uses permitted in this district should be fully contained within well-designed buildings on amply landscaped sites, with adequate off-street parking and loading areas, and with no outside storage. The proposed cultivation facility is compatible with the master plan and can be compatible with the zoning with proper screening, landscaping, and architectural improvements. The revised site plans now include extensive landscaping including evergreen greenbelts screening all loading, service, and parking areas. Given the close proximity of the residential neighborhood, the results of the public hearing must be considered.
2. **Will be designed, constructed, operated, and maintained so as to be visually and physically harmonious and appropriate in appearance with the existing or intended character of the general vicinity and not change the essential scale and character of the area.** The applicant must revise the site plan to comply with the landscaping, screening requirements, loading requirements, and other site improvements in order to make the proposed use visually and physically harmonious and appropriate in appearance with the existing and intended character of the general vicinity. The revised site plans now include extensive landscaping including evergreen greenbelts screening all loading, service, and parking areas. Given the close proximity of the residential neighborhood, the results of the public hearing must be considered.
3. **Will be a visual, physical, and economic improvement in relation to the property in the immediate vicinity and to the city as a whole.** The proposed use is improving the appearance of the property by taking a vacant structure and developing it with new industry, and will bring additional economic benefits to the city. Historically, the site has also had semi-trailers parked in the public street regularly, and we believe the new land use will be less visually impacting to the adjacent residences than this previous land use. *This finding can be made.*
4. **Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will adequately provide any such service or facility.** The exact impact on utilities is unknown for medical marijuana cultivation. Therefore, the applicant must provide the City with information on whether marijuana cultivation requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity

such as solar panels, wind turbines, and rain barrels. Further, the cultivation facility will likely require additional services in the form of police security and patrolling. A security plan must be reviewed and approved by the Police Department before this finding can be made.

5. **Will not detract from the desirability and orderly function of residential or business uses. Discretion shall be given to the impact of the proposed use upon existing uses which may relate to the traffic generation, sound, artificial lighting, odors, emission of exhaust gases, pedestrian traffic, hours and days of operation, creation of a public or private nuisance, opportunity for crime or criminal activity, congregation of individuals for purposes other than intended by the proposed use, and similar factors generated by the proposed use. The factors stated herein are not intended as a limitation upon the possible considerations and are by way of example only. Generally speaking, marijuana plant odor will likely permeate from the site. The applicant must provide information on their proposed method of odor mitigation in the revised site plan submission. In addition, site security includes security officers, security cameras and CCTV, Medeco locks, employee badges and key cards, and security alarms. We defer to the Inkster Police Department on review and approval of the Security Plan.**
6. **Will not erode or reduce the economic viability of other existing land uses. Consideration shall be given to the compatibility of other existing uses with the proposed use and maintaining land values within the City. The subject site will be located in a stand-alone building and abuts other industrial uses to the east and south, as well as residential uses to the north. To the west is a vacant lot. The proposed use may have an adverse impact on the adjacent residential uses if proper screening and landscaping is not implemented, but is likely less intense than the building's prior industrial use. We recommend that the results of a public hearing be considered to assess impacts on the surrounding neighborhood.**
7. **Will not impose additional service demands upon the City or its anticipated future resources. The burden on water and energy usage is stated to be the same as it was for the previous use, and the City is requesting more information. In addition, a security plan must be reviewed and approved by the Police Department.**
8. **Will further and enhance the health, safety, welfare, morals, character, comfort, convenience, and policies of the City, will not create excessive additional public costs or be detrimental to the economic welfare of the City. This finding can be made, subject to the recommendation of the Chief of Police. While the proposed use is a commercial operation to cultivate marijuana to provide for the medical needs of patients, the secondary effects of marijuana-based uses are well documented. Therefore, the Police Department prefers to see different marijuana operations clustered in the same general area to better provide for police patrols. The City recognizes that there is potential for criminal activity surrounding marijuana facilities, and feels this potential can be minimized if the operators put in place good security measures, and work closely with law enforcement to correct issues as they develop.**
9. **Will be consistent with the intent and purposes of this Zoning Code, and comply with all the specific standards as established for said use by the Ordinance. The site plan generally complies with the Zoning Ordinance. *This finding can be made.***

**REVIEW OF SPECIFIC STANDARDS FOR MEDICAL MARIJUANA FACILITY (§155.146)**

- (A) The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act, Medical Marijuana Facilities Licensing Act, State of Michigan regulations for the transfer of medical marijuana, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time. The applicant will be required to supply information and documentation related to the procurement of a state license. If the State of Michigan determines that building or site modifications are required a new site plan and SLU application may need to be filed with the City of Inkster.
- (B) A state and local license is required for all medical marijuana facilities. The applicant will be required to supply information and documentation related to the procurement of a state license.
- (C) Smoking and/or use of medical marijuana shall be prohibited at medical marijuana facilities. There is a note on the site plan indicating the applicant's willingness to comply. *This standard is met.*
- (D) Security cameras shall be installed and maintained; and are subject to approval by the City Police Chief. All security cameras shall have a minimum resolution of 1080p, and at least 14 days of digitally recorded documentation. The security cameras shall be in operation 24 hours a day, seven days a week, and shall be set to maintain the record of the prior 14 days of continuous operation. An alarm system is required that is operated and monitored by a recognized security company. Site security includes security officers, security cameras and CCTV, Medeco locks, employee badges and key cards, and security alarms. We defer to the Inkster Police Department on review and approval of the Security Plan.
- (E) Exterior lighting shall be required for security purposes, but in accordance with the provisions of the Zoning Ordinance. This finding can be made subject to approval by the Police Department.
- (F) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use, and as such other times as anyone is present on the premises. There is a note on the site plan indicating the applicant's willingness to comply. *This standard is met.*
- (G) Quarterly inspections may be made by the City Official's designee to confirm the facility is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances. There is a note on the site plan indicating the applicant's willingness to comply. *This standard is met.*
- (H) Any medical marijuana facilities shall not have exterior signage using the word "marihuana" and/or "marijuana", or any other word, phrase, or picture commonly understood to refer to

marijuana. Neon signs and non-functional decorative lighting shall be prohibited. Sign(s) shall be posted stating that “no loitering is permitted” on such property. There are notes on the site plan indicating the applicant’s willingness to comply. *This standard is met.*

- (I) If the medical marijuana facility ceases operation for a length of time six months or greater, the SLU shall expire. There is a note on the site plan indicating the applicant’s willingness to comply. *This standard is met.*

#### REVIEW OF SPECIFIC STANDARDS FOR MEDICAL MARIJUANA CULTIVATION FACILITIES (§155.150C)

- (A) Cultivation facilities shall have a minimum 300 foot radius, measured as the shortest distance from front door to front door, to any structure in residentially zoned districts, and a minimum 500 foot radius, measured as the shortest distance from front door to front door to any library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility. *This standard is met.*
- (B) All activity related to the medical marijuana facilities shall be done indoors. There is a note on the site plan indicating the applicant’s willingness to comply. *This standard is met.*
- (C) All Permit Holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards. There is a note on the site plan indicating the applicant’s willingness to comply. *This standard is met.*
- (D) Application for a Medical Marijuana Cultivation Facilities License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Cultivation Facilities License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council. A state license, local business license, and certificate of occupancy must be obtained prior to operations.

#### RECOMMENDATION

In general, the proposed medical marijuana cultivation facility is compatible with the zoning and existing surrounding land uses, pending the results of a public hearing to assess the impact on the adjacent “entertainment district” and residential areas. Planning Staff recommends approval of the Special Land Use subject to the following conditions:

1. **Utility Usage and Sustainability.** The applicant must provide the City with information on whether marijuana cultivation requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity such as solar panels, wind turbines, and rain barrels.

2. **Odor Mitigation.** The applicant must provide the City with information on how it intends to mitigate odors related to cultivation of medical marijuana.
3. **Security.** A security plan must be reviewed and approved by the Police Department, and inspected for approval by the Police upon installation.
4. **Licenses.** A state license, local business license, and certificate of occupancy must be obtained prior to operations.

If you have any questions, please don't hesitate to contact me.

Thank you,

A handwritten signature in blue ink, appearing to read 'Adrianna Jordan', with a long horizontal flourish extending to the right.

Adrianna Jordan, AICP  
City Planner



**CITY OF INKSTER**

26215 Trowbridge St.  
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www.cityofinkster.com  
313.563.4232

October 23, 2019

Planning Commission  
City of Inkster  
26215 Trowbridge  
Inkster, MI 48141

**Subject: SLU19-02 Medical Marijuana Processing Facility – Review #3**  
**Location: 27181 Southern**  
**Zoning: M-1, Light Industrial District**  
**Applicant(s): Rob Kato on behalf of Veritas Collective (formerly Veritas Holdings LLC)**

The City of Inkster Planning Department has reviewed the above-referenced Site Plan application for the re-occupancy of an existing 50,122 square foot industrial building for medical marijuana cultivation and processing at 27181 Southern. This development requires public hearings and special land use approvals from City Council for both the cultivation and processing land uses, as well as site plan approval. Planning Staff offers the following comments and findings for your consideration. The initial site plan was received on January 7, 2019, and is dated November 12, 2018. A revised site plan was received on October 23, 2019. Planning Staff conducted a site visit on Thursday, February 7, 2019.

**SITE DESCRIPTION**

The subject property totals 2.65 acres and is located on the south side of Southern between Wiethoff and Sylvia. The site is zoned M-1 (Light Industrial District).

The proposed re-occupancy and interior renovation includes an approximate 39,132 square foot cultivation facility in Suites 2, 3, and 4, and an approximate 10,990 square foot processing facility in Suite 1. BMMR Emergency Rule 24 states that co-located facilities must "have distinct and identifiable areas with designated structures that are contiguous and specific to the state operating license" as well as "separate entrances and exits", and separate street (or suite) addresses. It appears that the layout complies with this BMMR regulation. New information on the application of these rules may be released at any time which may affect the site layout requirements.

The site plans indicate that there will be 15 employees. The hours of operation are from 9 am to 9 pm, Monday through Friday, 9 am to 6 pm Saturday, and 10 am to 6 pm.



## **SPECIAL LAND USES IN M-1 DISTRICT**

Medical marijuana processing facilities are a SLU in the M-1 district. We have reviewed the application for compliance with the Inkster Zoning Ordinance regulations, and sound planning and zoning principles, and offer the following comments for your consideration.

### **REVIEW OF SPECIAL LAND USE (§155.289)**

The following standards are applicable to all SLU applications.

1. **Will be harmonious and in accordance with the goals, policies, and actions of the Master Plan.** The site is planned for Industrial uses. Typical uses include: manufacturing, assembly, warehousing, salvage facilities research/office and similar uses. In addition, the zoning is M-1 Light Industrial. Accordingly, light industrial, research, and related office uses permitted in this district should be fully contained within well-designed buildings on amply landscaped sites, with adequate off-street parking and loading areas, and with no outside storage. The proposed processing facility is compatible with the master plan and can be compatible with the zoning with proper screening, landscaping, and architectural improvements. The revised site plans now include extensive landscaping including evergreen greenbelts screening all loading, service, and parking areas. Given the close proximity of the residential neighborhood, the results of the public hearing must be considered.
2. **Will be designed, constructed, operated, and maintained so as to be visually and physically harmonious and appropriate in appearance with the existing or intended character of the general vicinity and not change the essential scale and character of the area.** The applicant must revise the site plan to comply with the landscaping, screening requirements, loading requirements, and other site improvements in order to make the proposed use visually and physically harmonious and appropriate in appearance with the existing and intended character of the general vicinity. The revised site plans now include extensive landscaping including evergreen greenbelts screening all loading, service, and parking areas. Given the close proximity of the residential neighborhood, the results of the public hearing must be considered.
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4. **Will be served adequately by essential public services and facilities or that the persons responsible for the establishment of the proposed use will adequately provide any such service or facility.** The exact impact on utilities is unknown for medical marijuana processing. Therefore, the applicant must provide the City with information on whether marijuana processing requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity



such as solar panels, wind turbines, and rain barrels. Further, the processing facility will likely require additional services in the form of police security and patrolling. A security plan must be reviewed and approved by the Police Department before this finding can be made.

5. **Will not detract from the desirability and orderly function of residential or business uses.** Discretion shall be given to the impact of the proposed use upon existing uses which may relate to the traffic generation, sound, artificial lighting, odors, emission of exhaust gases, pedestrian traffic, hours and days of operation, creation of a public or private nuisance, opportunity for crime or criminal activity, congregation of individuals for purposes other than intended by the proposed use, and similar factors generated by the proposed use. The factors stated herein are not intended as a limitation upon the possible considerations and are by way of example only. Generally speaking, marijuana plant odor will likely permeate from the site. The applicant must provide information on their proposed method of odor mitigation in the revised site plan submission. In addition, site security includes security officers, security cameras and CCTV, Medeco locks, employee badges and key cards, and security alarms. We defer to the Inkster Police Department on review and approval of the Security Plan.
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7. **Will not impose additional service demands upon the City or its anticipated future resources.** The burden on water and energy usage is stated to be the same as it was for the previous use, the City is requesting more information. In addition, a security plan must be reviewed and approved by the Police Department.
8. **Will further and enhance the health, safety, welfare, morals, character, comfort, convenience, and policies of the City, will not create excessive additional public costs or be detrimental to the economic welfare of the City.** This finding can be made, subject to the recommendation of the Chief of Police. While the proposed use is a commercial operation to process marijuana to provide for the medical needs of patients, the secondary effects of marijuana-based uses are well documented. Therefore, the Police Department prefers to see different marijuana operations clustered in the same general area to better provide for police patrols. The City recognizes that there is potential for criminal activity surrounding marijuana facilities, and feels this potential can be minimized if the operators put in place good security measures, and work closely with law enforcement to correct issues as they develop.
9. **Will be consistent with the intent and purposes of this Zoning Code, and comply with all the specific standards as established for said use by the Ordinance.** The site plan generally complies with the Zoning Ordinance. This finding can be made.

**REVIEW OF SPECIFIC STANDARDS FOR MEDICAL MARIJUANA FACILITY (§155.146)**

- (A) **The medical use of marijuana shall comply at all times and in all circumstances with the Michigan Medical Marijuana Act, Medical Marijuana Facilities Licensing Act, State of Michigan regulations for the transfer of medical marijuana, and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time. The applicant will be required to supply information and documentation related to the procurement of a state license. If the State of Michigan determines that building or site modifications are required a new site plan and SLU application may need to be filed with the City of Inkster.**
- (B) **A state and local license is required for all medical marijuana facilities. The applicant will be required to supply information and documentation related to the procurement of a state license.**
- (C) **Smoking and/or use of medical marijuana shall be prohibited at medical marijuana facilities. There is a note on the site plan indicating the applicant's willingness to comply. *This standard is met.***
- (D) **Security cameras shall be installed and maintained; and are subject to approval by the City Police Chief. All security cameras shall have a minimum resolution of 1080p, and at least 14 days of digitally recorded documentation. The security cameras shall be in operation 24 hours a day, seven days a week, and shall be set to maintain the record of the prior 14 days of continuous operation. An alarm system is required that is operated and monitored by a recognized security company. Site security includes security officers, security cameras and CCTV, Medeco locks, employee badges and key cards, and security alarms. We defer to the Inkster Police Department on review and approval of the Security Plan.**
- (E) **Exterior lighting shall be required for security purposes, but in accordance with the provisions of the Zoning Ordinance. This finding can be made subject to approval by the Police Department.**
- (F) **The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use, and as such other times as anyone is present on the premises. There is a note on the site plan indicating the applicant's willingness to comply. *This standard is met.***
- (G) **Quarterly inspections may be made by the City Official's designee to confirm the facility is operating in accordance with applicable laws including, but not limited to, State Law and City Ordinances. There is a note on the site plan indicating the applicant's willingness to comply. *This standard is met.***

- (H) Any medical marijuana facilities shall not have exterior signage using the word “marihuana” and/or “marijuana”, or any other word, phrase, or picture commonly understood to refer to marijuana. Neon signs and non-functional decorative lighting shall be prohibited. Sign(s) shall be posted stating that “no loitering is permitted” on such property. There are notes on the site plan indicating the applicant’s willingness to comply. *This standard is met.*
- (I) If the medical marijuana facility ceases operation for a length of time six months or greater, the SLU shall expire. There is a note on the site plan indicating the applicant’s willingness to comply. *This standard is met.*

#### **REVIEW OF SPECIFIC STANDARDS FOR MEDICAL MARIJUANA PROCESSING FACILITIES (§155.150)**

- (A) Processing facilities shall have a minimum 300 foot radius, measured as the shortest distance from building to building, to any structure in residentially zoned districts, and a minimum 500 foot radius, measured as the shortest distance from building to building to any library, church, child care center, licensed day care facility, preschool program center, primary, intermediate or secondary school, or like facility. *This standard is met.*
- (B) All medical marijuana shall be contained indoors within the main building in an enclosed, locked facility. There is a note on the site plan indicating the applicant’s willingness to comply. *This standard is met.*
- (C) All Permit Holders must ensure that any water emanating from the permitted facility meets or exceeds all applicable state and local environmental standards. There is a note on the site plan indicating the applicant’s willingness to comply. *This standard is met.*
- (D) Application for a Medical Marijuana Processing Facilities License shall be made to the City Clerk upon application forms provided by the Clerk for Medical Marijuana Processing Facilities License and signed by the applicant verifying the truth and accuracy of all information and representations in the application. Applications including information and documentation provided pursuant to an application shall be subject to the confidentiality rules under the Act. In addition to information and submittals, the application shall include payment of application fee in an amount set by the City Council. A state license must be obtained prior to issuing a local business license and certificate of occupancy.

#### **RECOMMENDATION**

In general, the proposed medical marijuana cultivation facility is compatible with the zoning and existing surrounding land uses, pending the results of a public hearing to assess the impact on the adjacent “entertainment district” and residential areas. Planning Staff recommends approval of the Special Land Use subject to the following conditions:

1. **Utility Usage and Sustainability.** The applicant must provide the City with information on whether marijuana cultivation requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity such as solar panels, wind turbines, and rain barrels.
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If you have any questions, please don't hesitate to contact me.

Thank you,

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Adrianna Jordan, AICP  
City Planner

## **ITEM VI.B**

### **Case # 19-03 (SP) – Consideration of Site Plan Approval for a Medical Marijuana Cultivation and Processing Multi-Use Facility**



## CITY OF INKSTER

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October 23, 2019

Planning Commission  
City of Inkster  
26215 Trowbridge  
Inkster, MI 48141

**Subject: SP19-03 Medical Marijuana Multi-Use Facility – Preliminary Site Plan Review #3**

**Location: 27181 Southern**

**Zoning: M-1, Light Industrial District**

**Applicant(s): Rob Kato on behalf of Veritas Collective (formerly Veritas Holdings LLC)**

The City of Inkster Planning Department has reviewed the above-referenced Site Plan application for the re-occupancy of an existing 50,122 square foot industrial building for medical marijuana cultivation and processing at 27181 Southern. This development requires public hearings and special land use approvals from City Council for both the cultivation and processing land uses, as well as site plan approval. Planning Staff offers the following comments and findings for your consideration. The initial site plan was received on January 7, 2019, and is dated November 12, 2018. A revised site plan was received digitally on September 24, 2019. Planning Staff conducted a site visit on Thursday, February 7, 2019.

### **SITE DESCRIPTION**

The subject property totals 2.65 acres and is located on the south side of Southern between Wiethoff and Sylvia. The site is zoned M-1 (Light Industrial District).

The proposed re-occupancy and interior renovation includes an approximate 39,132 square foot cultivation facility in Suites 2, 3, and 4, and an approximate 10,990 square foot processing facility in Suite 1. BMMR Rules state that co-located facilities must "have distinct and identifiable areas with designated structures that are contiguous and specific to the state operating license" as well as "separate entrances and exits", and separate street (or suite) addresses. It appears that the layout complies with this BMMR regulation. New information on the application of these rules may be released at any time which may affect the site layout requirements.

The site plans indicate that there will be 15 employees. The hours of operation are from 9 am to 9 pm, Monday through Friday, 9 am to 6 pm Saturday, and 10 am to 6 pm.

The following chart provides information on existing land use, current zoning, and future land use.

|                     | Existing Land Use                  | Current Zoning                                             | Future Land Use Designation |
|---------------------|------------------------------------|------------------------------------------------------------|-----------------------------|
| <b>Subject Site</b> | Medical Marijuana Multi-Use        | M-1, Light Industrial District                             | Industrial                  |
| <b>North</b>        | Single-Family Residential          | TCD, Town Center District / M-1, Light Industrial District | Industrial / Town Center    |
| <b>South</b>        | Railroad Tracks / Industrial Bldg. | M-1, Light Industrial District                             | Industrial                  |
| <b>East</b>         | Truck Repair                       | M-1, Light Industrial District                             | Industrial                  |
| <b>West</b>         | Vacant Land                        | TCD, Town Center District                                  | Town Center                 |

## REVIEW COMMENTS

1. **Zoning and Use (§155.048(C)).** The proposed use is a medical marijuana multi-use cultivation and processing facility consisting of two Special Land Uses (SLU) subject to compliance with the general conditions listed in §155.289 and specific conditions listed in §155.146, §155.150, and §155.150C of the Zoning Ordinance.

The M-1 district requires setbacks, lot size, lot coverage, and height as follows:

| Setbacks                        | Required                                                                | Proposed                |
|---------------------------------|-------------------------------------------------------------------------|-------------------------|
| <b>Front Setback</b>            | 60 ft. min                                                              | Existing Non-Conforming |
| <b>Rear Setback</b>             | N/A                                                                     | Meets requirement       |
| <b>Side Yard Setback (Both)</b> | 40 ft. min                                                              | Existing Non-Conforming |
| <b>Side Yard Setback (One)</b>  | 20 ft. min                                                              | Existing Non-Conforming |
| <b>Lot Size</b>                 | Dimensions must permit parking and landscaping                          | Existing Non-Conforming |
| <b>Lot Coverage</b>             | Based on off-street parking, loading, greenbelt screening, and setbacks | Existing Non-Conforming |
| <b>Height</b>                   | 40 ft. max                                                              | Meets requirement       |



EXHIBIT A: PARCEL MAP

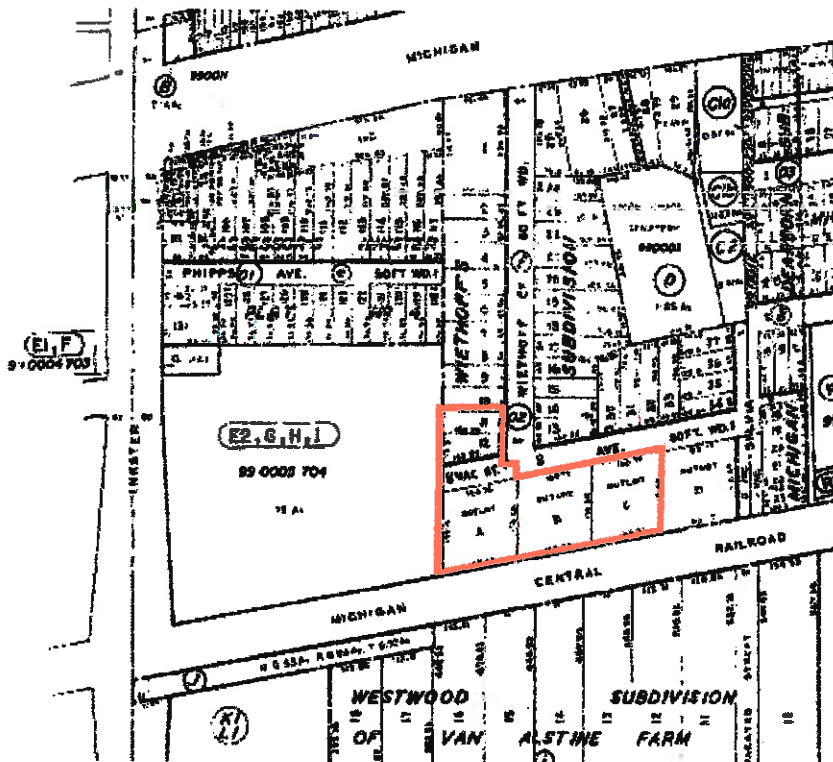


EXHIBIT B: AERIAL VIEW OF SITE





2. **Architectural Features (§155.072).** The existing building shown on the site plan is 28'-8" tall including the mezzanine/second story level that the applicant notes is a "remaining feature" of the original building construction and will not be used for the current development project. The elevations indicate that the building material is CMU, the roof is corrugated metal, and there are no windows. The proposed exterior paint color is "Black Fox" by Sherwin-Williams. Applicant has stated that there won't be any rooftop mechanical equipment as it is all located behind the building. A waiver is being requested from the Planning Commission for screening of this equipment as it will be screened by the proposed fiberglass fence and the railroad tracks in the rear of the building.
3. **Landscaping (§155.073).** Pursuant to §155.073, the following landscaping items must be addressed:
  - a. **Street Trees.** The applicant is proposing the Columnar (or Red) Maple for a shade tree, and Cornelian Cherry Dogwood for an ornamental. Planning Staff recommends the variety of Freeman's Maple due to its salt spray tolerance; Red Maple is intolerant. Due to the parking lot facing and located within 100 feet of the Southern right-of-way the street tree ordinance requirements are superseded by the perimeter landscaping requirements (item 10c in this review letter) where the parking lot faces Southern. For all other areas, one deciduous shade tree must be planted for every 35 feet and one ornamental tree must be planted for every 75 feet of frontage. Along Southern and along Wiethoff there is approximately 135 feet each of ROW (excluding landscaping in front of parking area on Southern). Therefore, four shade trees, and two ornamentals are required on each street, and proposed landscaping exceeds this requirement.
  - b. **Irrigation.** To assist in maintaining plant materials in a healthy condition, all landscaped areas (including lawns) shall be provided with an automatic underground or drip irrigation system. There is a note on Sheet LP1 stating that the irrigation will be "design build" and will be inspected by the City Planner as required.
  - c. **Yard Landscaping.** Per §155.073(D)(11) a minimum of one tree per 3,000 square feet of planted yard area shall be provided. Applicant is proposing Gingko Biloba for the yard tree and proposed planting schedule meets this requirement.
  - d. **Performance Bond.** Whenever a site plan requires any type of landscaping, the applicant is required to post a Performance Bond prior to the issuance of a Certificate of Occupancy to ensure the completion of landscaping (including irrigation), and this bond may be held up to two years by the City to provide a means of replacing landscaping that dies within the first two years (as dated from the issuance of the Certificate of Compliance/Occupancy).
  - e. **Deadline for installation.** Installation of required screening and landscaping shall be completed prior to or at the time of completion of building construction, except when building construction is completed during the off-season when plants cannot be installed.
4. **Walls (§155.074).** The Ordinance requires all loading and service areas in the M-1 district to be screened from abutting properties by a 6'-8' high wall, and off-street parking areas adjacent to residential to be screened by a 4 ½'-6' high wall. The service areas are located in the front of the building (north façade) and include loading, gas storage, and a trash enclosure. The applicant is

proposing an eight foot tall fiberglass fence that mimics the look of a wrought-iron fence around the property perimeter. Although this fence provides security it does not provide any screening, and would leave the service areas at the front of the building visible from the public right-of-way. Applicant is proposing to screen loading and service areas with Arbor Vitae located 30 inches on center. The applicant will request a screening waiver from the Planning Commission to use a greenbelt in lieu of a masonry wall for screening. In addition, most of the facility's mechanical equipment appears to be located on the ground at the rear of the building. Applicant has indicated that the railroad tracks are located approximately seven feet above the location of the proposed HVAC equipment concrete pads and would provide adequate screening. Applicant must request and obtain a screening waiver from the Planning Commission to substitute the railroad tracks for screening in lieu of a masonry wall. Applicant is also proposing to screen the new parking lot by means of an arbor vitae greenbelt. Trees are listed as having a 24" inch spread, but more importantly must be at least six feet tall at time of planting, and this must be noted on the landscape plan. If the applicant proceeds with a greenbelt they will need to obtain a waiver from the Planning Commission.

5. **Waste Receptacle (Dumpster) or Storage Screening (§155.075).** The site plan proposes one 10' x 20' x 6' dumpster enclosure on a concrete pad in the northeast corner of the subject property, and one 16'-8" x 12'-6" gas storage enclosure along the north lot line. Details indicate that gas storage and dumpster enclosure will have a black fiberglass gate. Gate must be noted as "opaque" on site plans.
6. **Exterior Lighting and Security (§155.076).**
  - a. **Lighting.** Lighting does not exceed 0.1 foot-candles along residentially used property lines, or 0.3 foot-candles along all other property lines.
  - b. **Security.** Please reference the SLU review letter for medical marijuana requirements.
7. **Off-street Parking (§155.077) and Circulation.** The site plan indicates a new five foot sidewalk in front of the building, and along Weithoff and Southern. The new public sidewalk furthers the City's goals of complete streets and increased multi-modal mobility. The site plan also indicates new concrete paving and curbing, three new 24 foot wide curb cuts, a new 26 space parking lot in the northwest corner of the site, and an eight space parking lot in front of the building.

The medical marijuana cultivation facility most closely resembles a "wholesale" establishment in terms of off-street parking. As such, parking must be provided at a rate of five parking spaces plus one for every employee in the largest shift, or one space for every 2,000 square feet of gross floor area, whichever is greater. The medical marijuana processing facility most closely resembles industrial/research establishments in terms of off-street parking. As such, parking must be provided at a rate of five spaces plus one for every one and a half employees in the largest working shift or one per 1,000 square feet of gross floor area, or whichever is greater.

| Facility Type                                 | Required Parking<br>(based on sf)           | Required Parking<br>(based on employ) | Provided Parking |
|-----------------------------------------------|---------------------------------------------|---------------------------------------|------------------|
| <b>Cultivation Facilities<br/>(wholesale)</b> | 20 spaces*                                  | 15 spaces                             | 20 spaces        |
| <b>Processing Facilities<br/>(industrial)</b> | 11 spaces*                                  | 10 spaces                             | 14 spaces        |
| <b>Total Site Parking</b>                     | <b>31 total parking spaces are required</b> |                                       | <b>34 spaces</b> |

\*The larger of the two requirements must be used for calculations.

8. **Accessible Parking for Physically Disabled Persons (§155.078).** One van-accessible space and one standard ADA space is required for a total of 34 parking spaces, and two van-accessible spaces are provided. The sidewalk is flush with the parking pavement, so no ramp is needed.
9. **Off-street Loading and Unloading (§155.079).** Two 10 foot by 70 foot striped off-street loading areas are provided at the front of the building. In lieu of the required screening wall, applicant is proposing to screen loading and service areas with Arbor Vitae located 30 inches on center. Applicant must request and obtain a screening waiver from the Planning Commission to use a greenbelt in lieu of a masonry wall for screening.
10. **Parking Lot Landscaping (§155.080).** Interior landscaping shall be provided within the boundaries of the parking lot, and shall comply with the following provisions:
  - a. **Interior Landscaping.** Interior landscaping areas equivalent to 5% of the vehicle use area shall be required in all parking lots of 20 spaces or more. One deciduous shade tree shall be required for each 150 square feet of required interior landscape area. Based on 11,122 square feet of parking area 556 square feet of interior landscaping is required and 896 square feet is provided.
  - b. **Terminal Islands.** A terminal landscape island shall be provided at the end of the row of parking spaces to separate parking from adjacent drive aisles. The terminal island shall be curbed, shall be at least 144 square feet in area, 18 feet long, and shall have a minimum of one shade tree. This requirement is met, but as previously mentioned.
  - c. **Perimeter Landscaping.** Perimeter landscaping shall be provided along the edge of any parking lot facing and located within 100 feet of a public right-of-way. Perimeter parking lot landscaping shall include a minimum of one deciduous shade tree per each 25 linear feet, and one ornamental tree per each 35 linear feet. Wherever a parking lot or vehicle parking space is located within 30 feet of a public street or right-of-way, the perimeter landscaping shall also include a continuous hedge of deciduous or upright evergreen shrubs planted not more than 30 inches on center between the parking area and the street. Along Southern, approximately 150 feet of perimeter landscaping is required including six shade trees, four ornamental trees, and a hedge. Proposed landscaping exceeds this requirement.
  - d. **Snow storage area.** Adequate snow storage area shall be provided within the site. Plant materials in snow storage areas shall be hardy, salt-tolerant groundcovers characterized by low maintenance requirements. Applicant has noted location of snow storage on site plan.
11. **Comments from Other Departments.** All applicable City departments and consultants should review the site plan and identify any remaining issues.

## RECOMMENDATION

Planning Staff believes the proposed site plan substantially complies with the Zoning Ordinance requirements and recommends approval of the site plan subject to the following conditions:

1. **Landscaping.** At time of planting Arbor Vitae must be at least six feet tall and applicant must add a note to the site plan regarding this requirement. Planning also recommends use of Freeman's Maple instead of Red Maple due to its salt spray tolerance.
2. **Mechanical Equipment Screening Waiver.** A waiver must be approved by the Planning Commission for screening the mechanical equipment on the south side of the building. It will be screened by the proposed fiberglass fence and the railroad tracks.
3. **Loading and Service Area Screening Waiver.** A waiver must be approved by the Planning Commission to substitute a greenbelt in lieu of the required masonry wall.
4. **Off-Street Parking Screening Waiver.** A waiver must be approved by the Planning Commission to substitute a greenbelt in lieu of the required masonry wall for the proposed new parking lot.
5. **Dumpster Enclosure.** Fiberglass gate must be opaque and noted as such on site plans.
6. **Other Department Comments.** Address all other department comments.

If you have any questions, please don't hesitate to contact me.

Thank you,

  
Adrianna Jordan, AICP  
City Planner



Alfred Benesch & Company  
615 Griswold, Suite 600  
Detroit, MI 48226  
www.benesch.com  
P 313-963-0612  
F 313-963-2156

October 2, 2019

City of Inkster  
Department of Public Services  
26900 Princeton  
Inkster, MI 48141

Attn: Jerome Bivins, Department of Public Services Director

Regarding: 19-03 (SP)/19-01 & 02(SLU)  
27181 Southern Street – Medical Marijuana Cultivation  
Preliminary Site Plan Approval

Dear Mr. Bivins:

Alfred Benesch & Companies, (Benesch) has completed a review of the civil site plans prepared by Stonefield Kem-Tec with the latest revision date of October 1, 2019 for the above referenced project. The plans are recommended for acceptance and approval.

Please note that in addition to obtaining the necessary permits from the City of Inkster prior to construction, the owner must also obtain a construction permits from Wayne County for soil erosion sediment control (SESC) and construction of the storm water management facility.

Please call me at 313-495-0296 if you have any questions.

Sincerely,

**Alfred Benesch & Company**

A handwritten signature in black ink that reads 'Carrie Loya-Smalley'.

Carrie Loya-Smalley, P.E.  
Project Engineer

CC: Adrianna Jordan, AICP, City of Inkster Planner  
Kaitlyn Hines, City of Inkster Community Planner  
Eric Tucker, P.E., Project Manager  
File: 00040010.00 Task 1

**From:** [Jeffrey Twardzik](#)  
**To:** [Adrianna Jordan](#)  
**Subject:** RE: Veritas - 27181 Southern St  
**Date:** Friday, August 16, 2019 4:51:10 PM

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Wow...that is a lot! Just lighting around the exterior of the building and cameras showing all sides of the location including a camera at the dead-end of Southern showing all vehicles approaching the location.

Lt. Twardzik

**From:** Adrianna Jordan  
**Sent:** Friday, August 16, 2019 4:29 PM  
**To:** Jeffrey Twardzik  
**Subject:** FW: Veritas - 27181 Southern St

Good afternoon Lt. Twardzik,

Below please find the Site Plan for 27181 Southern, MM Processing and Cultivation. There is a security plan on pages SC1 and SC2.

Please let me know if you have any comments,

Kaitlyn Hines  
Community Planner

**From:** Nicholas Ryan [<mailto:NickR@PrecisionExtraction.com>]  
**Sent:** Monday, August 5, 2019 9:50 AM  
**To:** Adrianna Jordan <[ajordan@cityofinkster.com](mailto:ajordan@cityofinkster.com)>; Felicia Rutledge <[frutledge@cityofinkster.com](mailto:frutledge@cityofinkster.com)>; [bobbykato@gmail.com](mailto:bobbykato@gmail.com)  
**Cc:** Daniel Lennon <[Danl@PrecisionExtraction.com](mailto:Danl@PrecisionExtraction.com)>; Joe Zabolotny <[JoeZ@PrecisionExtraction.com](mailto:JoeZ@PrecisionExtraction.com)>; Renata Garbarino <[RGarbarino@kemtec-survey.com](mailto:RGarbarino@kemtec-survey.com)>  
**Subject:** Veritas - 27181 Southern St

Good Morning,

Enclosed is the link to Precision Development Group's final drawing set for the Veritas Holdings proposed medical marijuana facility at 27181 Southern St. We've linked a folder containing the revised set itself as well as a responsory letter outlining all comments from the city that required our attention, and our responses to them explaining our revisions or requesting waivers as necessary. Hopefully this should be sufficient for formal site approval review.

Let us know if anything else is needed.

**To:** Adrianna Jordan, City Planner

**From:** Jason Kaye, Fire Inspector

**Date:** 02-14-2019

**Subject:** 27181 Southern

After review of the provided prints for the above property, the fire departments only requirements will be for the company to provide detailed prints for the fire suppression system that is to be installed and the prints for the modification of the existing automatic sprinkler system. The Fire Marshal's office will require notification prior to the testing of suppression systems.

The fire department will require 24hr access to the property and the buildings. If there will not be manned 24hr security, a KNOX BOX must be installed on the outside of the building in a location easily accessible by fire department personnel. The KNOX BOX shall contain keys to the entry door and any interior door that will be locked after-hours that houses any equipment the fire department would need access to in the event of an emergency.

The requirements listed above are not intended to be all inclusive, additional requirements may be determined as applicable on actual occupancy or use. Final approval subject to final inspection.

## **ITEM VI.C**

### **Case # 19-03 (SP) – Consideration of a Mechanical Equipment Screening Wall Waiver**



**VERITAS COLLECTIVE**  
**27181 Southern**  
**Inkster, MI. 48141**

October 23, 2019

**City of Inkster**  
**Attention: Planning and Zoning**  
**26215 Trowbridge**  
**Inkster, MI. 48141**

RE: Request for Waiver **Case# 19-03 (SP) – Consideration of an Equipment Screening Wall Waiver, Case#19-03 (SP) – Consideration of a Loading Zone Screening Waiver, Case#19-03 (SP) – Consideration of an Off-Street Parking Screening Waiver**

**Dear City of Inkster Planning and Zoning,**

Veritas Collective respectfully requesting the following waivers:

1. A mechanical equipment screening wall waiver for a proposed Medical Marijuana facility due to the railroad tracks that are 11.2ft higher than the actual ground level, and the heathers have grown to be 10ft off the ground and cover the railroad tracks. Where there are such densely wooded areas tend to work as a "Natural Separation Wall the requirement for a mechanical equipment screening wall should be waived.
2. A loading Zone screening a waiver for a greenbelt instead of a fence that would include Abortive Trees. The various plants and trees in **greenbelts** serve as organic sponges for various forms of pollution, and as storehouses of carbon dioxide to help offset global climate change. Trees are an important part of a city's infrastructure and tend to be cosmetically pleasing to the eye for urban areas.
3. An Off-Street Parking Screening Waiver because there is a wetland. Seeking instead to do a greenbelt instead of an off-street parking screen. The greenbelt would include Abortive Trees as the various plants and trees in **greenbelts** serve as organic sponges for various forms of pollution, and as storehouses of carbon dioxide to help offset global climate change. Trees are an important part of a city's infrastructure and tend to be cosmetically pleasing to the eye for Urban areas.

If you should have any questions or concerns, please feel free to contact me at the number listed below.

Sincerely,



Veritas Collective  
Rob Kato

## **ITEM VI.D**

### **Case # 19-03 (SP) – Consideration of a Loading Zone Screening Waiver**

**VERITAS COLLECTIVE**  
**27181 Southern**  
**Inkster, MI. 48141**

October 23, 2019

**City of Inkster**  
**Attention: Planning and Zoning**  
**26215 Trowbridge**  
**Inkster, MI. 48141**

RE: Request for Waiver **Case# 19-03 (SP) – Consideration of an Equipment Screening Wall Waiver, Case#19-03 (SP) – Consideration of a Loading Zone Screening Waiver, Case#19-03 (SP) – Consideration of an Off-Street Parking Screening Waiver**

**Dear City of Inkster Planning and Zoning,**

Veritas Collective respectfully requesting the following waivers:

1. A mechanical equipment screening wall waiver for a proposed Medical Marijuana facility due to the railroad tracks that are 11.2ft higher than the actual ground level, and the heathers have grown to be 10ft off the ground and cover the railroad tracks. Where there are such densely wooded areas tend to work as a "Natural Separation Wall the requirement for a mechanical equipment screening wall should be waived.
2. A loading Zone screening a waiver for a greenbelt instead of a fence that would include Abortive Trees. The various plants and trees in **greenbelts** serve as organic sponges for various forms of pollution, and as storehouses of carbon dioxide to help offset global climate change. Trees are an important part of a city's infrastructure and tend to be cosmetically pleasing to the eye for urban areas.
3. An Off-Street Parking Screening Waiver because there is a wetland. Seeking instead to do a greenbelt instead of an off-street parking screen. The greenbelt would include Abortive Trees as the various plants and trees in **greenbelts** serve as organic sponges for various forms of pollution, and as storehouses of carbon dioxide to help offset global climate change. Trees are an important part of a city's infrastructure and tend to be cosmetically pleasing to the eye for Urban areas.

If you should have any questions or concerns, please feel free to contact me at the number listed below.

Sincerely,



Veritas Collective  
Rob Kato

## **ITEM VI.E**

### **Case # 19-03 (SP) – Consideration of an Off-Street Parking Waiver**

**VERITAS COLLECTIVE**  
**27181 Southern**  
**Inkster, MI. 48141**

October 23, 2019

**City of Inkster**  
**Attention: Planning and Zoning**  
**26215 Trowbridge**  
**Inkster, MI. 48141**

RE: Request for Waiver **Case# 19-03 (SP) – Consideration of an Equipment Screening Wall Waiver, Case#19-03 (SP) – Consideration of a Loading Zone Screening Waiver, Case#19-03 (SP) – Consideration of an Off-Street Parking Screening Waiver**

**Dear City of Inkster Planning and Zoning,**

Veritas Collective respectfully requesting the following waivers:

1. A mechanical equipment screening wall waiver for a proposed Medical Marijuana facility due to the railroad tracks that are 11.2ft higher than the actual ground level, and the heathers have grown to be 10ft off the ground and cover the railroad tracks. Where there are such densely wooded areas tend to work as a "Natural Separation Wall the requirement for a mechanical equipment screening wall should be waived.
2. A loading Zone screening a waiver for a greenbelt instead of a fence that would include Abortive Trees. The various plants and trees in **greenbelts** serve as organic sponges for various forms of pollution, and as storehouses of carbon dioxide to help offset global climate change. Trees are an important part of a city's infrastructure and tend to be cosmetically pleasing to the eye for urban areas.
3. An Off-Street Parking Screening Waiver because there is a wetland. Seeking instead to do a greenbelt instead of an off-street parking screen. The greenbelt would include Abortive Trees as the various plants and trees in **greenbelts** serve as organic sponges for various forms of pollution, and as storehouses of carbon dioxide to help offset global climate change. Trees are an important part of a city's infrastructure and tend to be cosmetically pleasing to the eye for Urban areas.

If you should have any questions or concerns, please feel free to contact me at the number listed below.

Sincerely,



Veritas Collective  
Rob Kato

## **ITEM VI.F**

### **Case # 19-23 (TA) – Recreational Marijuana Ordinance**

**CITY OF INKSTER  
PLANNING COMMISSION  
MINUTES**

A regular meeting was held on **Monday, October 28, 2019**, in the Inkster City Council Chambers, located at 26215 Trowbridge, Inkster, Michigan.

A quorum was reached. Chairman Chisholm called the meeting to order at 6:34 p.m.

**I. ROLL CALL**

Present: Chairman Chisholm, Vice Chairman Ratliff, Secretary Cain, Nolen, Garrett, Davis (6:39), Willis, Faison, and Williams (6:39).

Absent: Vice Chairman Ratliff (excused)

Others in attendance: Adrianna Jordan, City Planner  
Kaitlyn Hines, Community Planner  
Rob Kato, Applicant  
Daniel Lennon, Precision Development Group  
Nicolas Ryan, Precision Development Group

Public in attendance: Cortrina Pernell, Student  
Larry Motley  
Luisa Donfried, Resident  
Jo-Anne Donfried, Resident  
Susan Foster, Student  
Lillie Lester  
Tanya Bullard

**II. ADOPTION OF AGENDA**

**MOVED** by Garrett, Seconded by Cain to Adopt the Agenda. **MOTION CARRIED unanimously.**

**III. ADOPTION OF MINUTES OF October 14, 2019**

**MOVED** by Garret, Seconded by Faison to Adopt the Minutes. **MOTION CARRIED unanimously.**

**IV. PUBLIC HEARINGS**

- A. Case # 19-01, 19-02, (SLU) – Medical Marijuana Cultivation and Processing**  
Public Hearing to review and consider special land uses for a proposed Medical Marijuana Cultivation and Processing (SLUs 19-01, 19-02) in the M-1, Light Industrial District at 27181 Southern, between Wiethoff and Sylvia. Rob Kato is the applicant on behalf of Veritas Collective.

**MOVED** by Garret, Seconded by Cain to open the public hearing for Case #19-01, 19-02 (SLU) – Medical Marijuana Cultivation and Processing. **MOTION CARRIED unanimously.**

Public Remarks:

1. Larry Motley, Executive Director of the Southwest Block Club, asked the applicant what his contributions will be to the City. Mr. Kato responded by mentioning that he recently donated \$10,000 to help erect football fields at Westwood and Lemoyne parks for the local football teams, he has helped raise funds to hire two police officers, donated hams for the ham giveaway last year and will continue to do it this year, and has a house in the city that he lives in when he is here. He also invited Mr. Motley to the Medical Marijuana group that meets monthly to discuss his concerns.

Commissioners Concerns:

1. Commissioner Nolen requested information on odor mitigation. Mr. Kato responded that there would be in each corner of each room. Commissioner Garret had a follow up question regarding the maximum allowable amount of contamination. Daniel Lennon mentioned that all air exiting the facility will be filtered. Commissioner Faison asked if the State determined the type of filter used for the facility, Mr. Lennon responded by saying that their filters go above and beyond the requirements.
2. Commissioner Faison then asked about the ethanol storage on the site. Mr. Lennon stated that it will be stored in an outdoor enclosure, and will likely never house the maximum amount.
3. Commissioner Williams asked about the sustainability of the water and electricity usage of the site. Mr. Kato replied that the business that was previously there used a lot more power and water than the new facility will use, so it is outfitted for greater power usage.

**MOVED** by Davis, Seconded by Cain to close the public hearing. **MOTION CARRIED unanimously.**

**B. Case # 19-23 (TA) Recreational Marijuana Ordinance**

Consideration of proposed text amendments to the City's Zoning Ordinance pertaining to provisions for recreational marijuana facilities. Proposed modifications include changes to §155.146 "Standards for All Medical Marijuana Facilities" to include Recreational Marijuana facilities, and establishing §155.155D "Recreational Marijuana Grower", §155.155E "Recreational Marijuana Retailer", §155.155F "Recreational Marijuana Processor", §155.155G "Recreational Marijuana Secure Transporter", and §155.155H "Recreational Marijuana Safety Compliance Facility".

**MOVED** by Nolen, Seconded by Davis to open the public hearing for Case #19-23, (TA) – Recreational Marijuana Ordinance. **MOTION CARRIED unanimously.**

Public Remarks:

1. Larry Motley asked how many recreational retailers there will be in the City, stating that there should only be one. Commissioner Nolen mentioned that the only facilities that will be permitted to be recreational, are the ones that are already open as medical.
2. Susan Foster asked if these facilities will increase the tax base. Commissioner Nolen replied that there is a sales tax on all recreational marijuana, and that the buildings will be newly assessed, creating more in property taxes.



Commissioners Concerns:

1. Commissioner Faison wanted to confirm that the recreational marijuana products could not be consumed on site. Adrianna Jordan confirmed that on site consumption is still prohibited.
2. Commissioner Davis asked if the growers will be selling all over the state, or just to this area. Ms. Jordan confirmed they are free to sell to anywhere in the state.

**MOVED** by Garret, Seconded by Davis to close the public hearing. **MOTION CARRIED unanimously.**

V. OLD BUSINESS

NONE.

VII. NEW BUSINESS

A. **Case # 19-01, 19-02, (SLU) – Medical Marijuana Cultivation and Processing**

Planning Commission to review and consider recommendation of approval of special land uses for a proposed Medical Marijuana Cultivation and Processing (SLUs 19-01, 19-02) in the M-1, Light Industrial District at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.

**MOVED** by Nolen, Seconded by Davis to recommend approval of SLU Cases # 19-01, 19-02– Medical Marijuana Cultivation and Processing facility with the following conditions:

1. **Utility Usage and Sustainability.** The applicant must provide the City with information on whether marijuana cultivation requires higher than average levels of water or energy use. To mitigate the burden on utilities, the applicant should consider on-site sustainable sources of water and electricity such as solar panels, wind turbines, and rain barrels.
2. **Odor Mitigation.** The applicant must provide the City with information on how it intends to mitigate odors related to cultivation of medical marijuana.
3. **Security.** A security plan must be reviewed and approved by the Police Department, and inspected for approval by the Police upon installation.
4. **Licenses.** A state license, local business license, and certificate of occupancy must be obtained prior to operations.

**MOTION CARRIED unanimously.**

B. **Case # 19-03 (SP) – Consideration of Site Plan Approval for a Medical Marijuana Cultivation and Processing**

Planning Commission to review and consider approval of a site plan for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.

**MOVED** by Davis, Seconded by Cain for Case # 18-23 (SP) Medical Marijuana Multi-Use Complex with the following conditions:

1. **Landscaping.** At time of planting Arbor Vitae must be at least six feet tall and applicant must add a note to the site plan regarding this requirement. Planning also recommends use of Freeman's Maple instead of Red Maple due to its salt spray tolerance.
2. **Mechanical Equipment Screening Waiver.** A waiver must be approved by the Planning Commission for screening the mechanical equipment on the south side of the building. It will be screened by the proposed fiberglass fence and the railroad tracks.
3. **Loading and Service Area Screening Waiver.** A waiver must be approved by the Planning Commission to substitute a greenbelt in lieu of the required masonry wall.
4. **Off-Street Parking Screening Waiver.** A waiver must be approved by the Planning Commission to substitute a greenbelt in lieu of the required masonry wall for the proposed new parking lot.
5. **Dumpster Enclosure.** Fiberglass gate must be opaque and noted as such on site plans.
6. **Other Department Comments.** Address all other department comments.

Commissioners Concerns:

1. Commissioners Davis and Garret asked about the security of the site and if they will have a gate and 8ft fence. Mr. Kato responded that there will be a gate, along with 8ft fence and 24hr security cameras.

**MOTION CARRIED unanimously.**

- C. **Case # 19-03 (SP) – Consideration of an Equipment Screening Wall Waiver**  
Planning Commission to review and consider approval of a mechanical equipment screening wall waiver for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.

**MOVED** by Davis, Seconded by Willis for Case # 19-03 (SP) Consideration of an Equipment Screening Wall Waiver. **MOTION CARRIED unanimously.**

- D. **Case # 19-03 (SP) – Consideration of a Loading Zone Screening Waiver**  
Planning Commission to review and consider approval of a service area and loading zone screening wall waiver for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.

Commissioners Concerns:

1. Commissioner Davis asked where the loading area is. Nicolas Ryan answered that it was in the front of the building as it is existing.

**MOVED** by Davis, Seconded by Garrett for Case # 19-03 (SP) Consideration of a Loading Zone Screening Waiver. **MOTION CARRIED unanimously.**

**E. Case # 19-03 (SP) – Consideration of an Off-Street Parking Screening Waiver**

Planning Commission to review and consider approval of an off-street parking screening wall waiver for a proposed Medical Marijuana Cultivation and Processing Facility (SP19-03) in the M-1, Light Industrial district at 27181 Southern, between Wiethoff and Sylvia. Rob Kato, on behalf of Veritas Collective, is the applicant.

**MOVED** by Davis, Seconded by Faison for Case # 19-03 (SP) Consideration of an Off Street Parking Screening Waiver. **MOTION CARRIED unanimously.**

**VIII. MISCELLANEOUS**

**A. None.**

**VIII. ADJOURNMENT – 7:56 pm**

**MOVED** by Davis, Seconded by Faison to adjourn the Planning Commission meeting held on October 28, 2019. **MOTION CARRIED unanimously.**

Respectfully submitted,

---

Steven Chishoim, Chairman

---

Lynnette O. Cain, Secretary

---

Adrianna Jordan, City Planner

## REQUEST FOR COUNCIL ACTION

To: Byron H. Nolen, Mayor

Date: October 17, 2019

From: Adrianna Jordan  
City Planner

Date for Council Consideration: November 4, 2019

**ACTION REQUESTED:** Council to offer an end date for the existing moratorium on used car lots (Resolution No. 6-18-123R).

Current Action ☒ Emergency ☐ Future ☐

Funds Budgeted: If Yes ☐ Account # ☐ No ☐ N/A ☒

Mayor's Approval ☐

### BACKGROUND INFORMATION

On June 4, 2018 the City Council passed a moratorium (Resolution No. 6-18-123R, attached) on used car lots that did not contain an end date or sunset clause. The attached draft resolution is being introduced to provide an expiration date of November 2, 2020 for the moratorium at which time it would expire unless renewed.

### SCOPE OF SERVICES

N/A

### JUSTIFICATION

The Planning Department believes that the moratorium should be reconsidered on an annual basis as development conditions change within the city, rather than having a moratorium that lacks an end date.

### PROJECT OR IMPROVEMENT TASKS

1. Revitalize the Michigan Avenue Corridor and the area covered by the DDA.
2. Improve and promote the image of Inkster.

### COSTS

There are no direct costs for the City.

### PROJECT TIME TABLE

If the resolution is approved by Council, it will cause the used car lot moratorium to expire in November 2020 unless it is renewed and extended.

### RESOLUTION

Resolved by \_\_\_\_\_

Seconded by \_\_\_\_\_

Yes:  
No:  
Absent: