

# PC Zoning Subcommittee

## Meeting Minutes

Wednesday, February 1, 2017  
10:00 a.m. Conference Room A



City of South Haven

Present: PC members Heinig, and Gruber with Stimson on speaker phone. Also present was the zoning administrator (Anderson) and Police Chief Natalie Thompson.

The meeting was called to further discuss the requested recommendations for city council related to the 2016 Medical Marijuana Facilities Licensing Act (MMFLA). Some changes were discussed regarding location of facilities and possible caps on the number to be allowed. Changes discussed are shown in **RED** on the Preliminary Recommendations page which follows.

It was decided that Ryan Bosscher, GIS Tech, would be asked to map all locations where each of the five facilities could be located given the siting criteria proposed. The map will be distributed to planning commissioners as soon as it is available. In addition, the police chief will contact some other Michigan communities which allow dispensaries now to find out how they regulate the facilities and any enforcement difficulties they may have had.

There was some discussion of the possibility of cross ownership of one facility to another. Anderson said she would provide that information prior to the next meeting. She also informed members that there have been a few people who have asked to speak to the committee. Three of those will be at the next meeting but have been informed that they will have a very limited amount of time to speak.

Next meeting on February 15, 2017 at 10:00 a.m. at city hall. Location TBD.

The meeting adjourned at 10:45 a.m.

Respectfully submitted,  
Linda Anderson

## **Preliminary Recommendations to Allow Medical Marijuana Facilities in the City of South Haven**

There are five (5) different medical marijuana licenses available under PA 280-283 of 2016, The Medical Marijuana Facilities Licensing Act. The planning commission subcommittee discussed the law and each of the five (5) facilities. These comments are preliminary and for discussion purposes only. These recommendations will be refined as research continues.

**Grow facilities** (i.e. growers): *A grower cultivates, dries, trims, cures and packages marijuana for sale (Sec 501 of PA 281 of 2016). This license authorizes 500, 1000 or 1500 plants and allows for transfer between growers, to provisioning, processing or safety compliance facilities.*

This would be an indoor facility. It is preliminarily recommended that grow facilities be allowed in certified industrial or business parks only. There is no cap on the number permitted. ***The police chief believes that to a large extent these facilities will have their own security and additional police patrols may not be necessary.***

**Processors:** *Extracts resin or creates a packaged marijuana infused product (e.g., brownies or other non-smoked product). Holders of this license may only transfer products to provisioning centers. (Sec. 502)*

This also would be an indoor activity. It is preliminarily recommended that processors be allowed in certified industrial or business parks only. There is no cap on the number permitted. ***No concern with this provision from the police chief or members.***

**Secure Transporters:** *Provides secure transport of medical marijuana between licensed facilities (Sec. 503)*

Since this licensee will use a small truck or van for transport and involve at least some storage of materials, it was discussed allowing the uses in B-2, General Business, Industrial and B-4 Major Thoroughfare Business zones only. Transporters shall be at least 600 feet from any church, school, **public park or beach, trail** or child care facility. There was discussion about limiting the number of transporters but it was decided that the other permitted uses would determine the number of transporters required.

**Provisioning Centers:** *(a.k.a. dispensaries) This license holder acquires marijuana from growers and processors for sale or transfer to qualifying patient or primary caregivers. (Sec. 504)*

Allowed in B-2, General Business, Industrial and B-4 Major Thoroughfare Business zones only. Centers shall be at least 600 feet from any church, school, **public park or beach, trail** or child care facility. There was discussion about limiting the number of centers allowed in the city or to let the market determine the number.

**Safety Compliance Facility Provisioning Center:** *Provides safety and quality testing. (Sec. 505)*

It was determined that these centers should be allowed in zones that allow laboratories or similar uses. This includes the B-4 and industrial zones. There would be no cap on the number allowed.

In response to the discussion of cross-ownership, staff prepared the following information from the MMFLA:

- **Grower** – May not be a primary caregiver or have interest in a secure transport or safety compliance facility (Sec. 501)
- **Processor** – May not be a primary caregiver or have interest in a secure transport or safety compliance facility (Sec. 502)
- **Safety Compliance Facility Provisioning Center** – May not have interest in a grow processor, secure transport or provisioning center facility (Sec. 505)
- **Provisioning Center** – May not have interest in a secure transport or safety compliance facility (Sec. 504)
- **Secure Transporter** – May not be a primary caregiver or qualifying patient or have interest in a grow, processor, safety compliance or provisioning center facility (Sec. 503)