

## PLANNING COMMISSION

January 25, 2011

The Gladwin City Planning Commission met in regular session Tuesday, January 25, 2011 at Gladwin City Hall. The meeting was called to order at 5:15 p.m. by Chairman David followed by the Pledge of Allegiance.

Present: Commissioners David, Clayton, Hindman, Darlington, Beyer, Alward, Witkowski, Stout  
Absent: Commissioner Foor

Also present: City Attorney Doug Jacobson, Council Persons: Dee Jungman, John Caffrey, Vee Novak, Polly Alward, Michael Smith; Mayor Thomas Winarski, City Administrator Robert Moffit, Police Chief Chuck Jones, Sarah Kile, Dave Cady, Lynn Morgan, Louise Corlew, Glenn Corlew, Lucas Cady, Ken Hannah, Jason Schuster, Richard Beadle and William L Babcock.

Motion by Commissioner Stout, supported by Commissioner Alward to approve the meeting minutes of November 23, 2010 as presented. All ayes. Motion carried.

Jason Schuster, of Endless Journey presented his site plan for a 36' x 42' garage addition to his existing office on James Robertson Drive. It will be used to store materials & vehicles for Endless Journey. Commissioner David explained that Zoning Administrator Weaver had reviewed this site plan and saw no problem with it.

Motion by Commissioner Hindman, supported by Commissioner Darlington was made to accepted the site plan as presented. All ayes. Motion carried.

Commissioner David explained that the agenda items regarding Wall Signs and Medical Marijuana facilities were for discussion only. This was not a public hearing; it was for information purposes only.

Dave Cady, from Cady Construction and owner of the Schafer Building in downtown Gladwin spoke regarding the current sign ordinance, specifically in regards to wall signs. The above referenced property is a corner property and the current ordinance prevents more than one wall sign per business. He felt it this is not a reasonable ordinance. He cited several businesses that were not in compliance, some that were grandfathered, but others that were not.

Robert Moffit, City Administrator asked that the Planning Commission evaluate on a case by case basis and allow additional wall signs as a special use.

Lynn Morgan spoke before the board in regards to digital signs. He questioned the ordinance that does not allow for off premise advertising. He feels that allowing off premise advertising would be beneficial to the community.

Mayor Winarski spoke saying that signs have always been an issue and that periodically this needs to be revisited.

Richard Beadle questioned the rationale of the wall sign ordinance.

Commissioner David stated that the Planning Commission would be willing to revisit this issue and noted that while re-doing the zoning ordinance the opportunity for public comment was available but no one came forward.

Attorney Jacobson stated that a great deal of time is spent on signs by Zoning Administrator Weaver and himself. They have offered suggestions to property owners to make it work within the ordinance. He also stated that is not the business of the Planning Commission to deal with the content of the signs.

Commissioner Hindman stated he believes the Planning Commission should revisit on a case by case basis as well.

Ken Hannah wanted to know if he was being "singled out" regarding his signs. Commissioner David said he was not. She went on to say the issue of not pulling permits was more of a problem. She went on to say that some people are not aware they are needed.

Commissioner David thanked all for their input.

Attorney Jacobson explained that the timeline of something going through the Planning Commission will not happen quickly. The Planning Commission has rules and guidelines and timelines it must follow.

A lengthy discussion was held regarding Medical Marijuana facilities. Numerous cases were cited regarding zoning issues and the above referenced facilities.

Commissioner Alward made a motion that a 6 month moratorium be placed on all medical marijuana facilities.

Attorney Jacobson explained that we cannot zone out activities that are legal in our state and made so by the voters. A moratorium is a conservative approach to take.

Chief Chuck Jones stated that the Michigan Legislature is looking into the whole Medical Marijuana issue. He also felt a moratorium was appropriate. He will be attending a conference in the near future to learn more about it all.

Attorney Jacobson stated a voter passed law cannot be changed by the legislature. And the Planning Commission is a land use regulatory body. For example, we can't ban churches just because we don't agree with them. He also suggested we get with surrounding townships and counties while looking into this issue to see what they are doing.

City Administrator Moffit agreed the law regarding Medical Marijuana Facilities is ambiguous. But from a zoning standpoint we need to take a look at where we can put it. He referred to Standish Michigan's ordinance. He also stated the Gladwin Community Schools Superintendent Rick Seebeck called him and asked that any Medical Marijuana facilities be kept 1000 feet or farther from a school.

Again Commissioner Alward, supported by Commissioner Clayton made a motion to make a recommendation to City Council to impose for a period of 6 months for a moratorium on the issuance of any and all permits or licenses for the sale or dispensation of medical marijuana within the City of Gladwin. All ayes. Motion carried.

Motion by Commissioner Stout, supported by Commissioner Hindman to adjourn. Motion carried. Meeting adjourned at 6:07 p.m.