

LONG LAKE TOWNSHIP PLANNING COMMISSION
MINUTES OF APRIL 7, 2011
Long Lake Township Hall
8870 North Long Lake Road
Traverse City, Michigan
6:00 PM – SPECIAL MEETING

1. CALL TO ORDER – 6:00 PM
2. ROLL CALL – Commission members present were Tobin, Marsh, Verschaeve, Cuthbert, Humitz, and Hoffman. Witkop was excused. Also present were the Township Planner, the Zoning Administrator and members of the Township Board.
3. APPROVE/AMEND AGENDA - Moved by Humitz supported by Marsh approved agenda with the addition of Public Comment as item 5. Motion carried.
4. CONFLICT OF INTEREST STATEMENT – None
5. FIRST PUBLIC COMMENT – None.
6. PURPOSE: JOINT SESSION WITH TOWNSHIP BOARD

1) MEDICAL MARIJUANA – Township Attorney Jim Young explained that this meeting is for informational purposes only and that a decision should not be made tonight. He spoke regarding exclusionary zoning and stated that a moratorium simply states that it is not allowed as a land use right now. He also stated that the moratorium should be passed as a Zoning Ordinance Amendment, not as a resolution. He explained that prohibition of any kind would only open the township to lawsuits which would be a drain on township resources. Mr. Young also spoke regarding the effects of non-regulation and the consequences of waiting to get guidance from the courts. He stated that the typical approach to regulation is to concentrate the cooperatives in a zoning district such as commercial or industrial and to classify the individual use of medical marijuana or single caregivers as a home occupation. The number of caregivers allowed in a cooperative would be up to the township to regulate. He also spoke regarding the Fire Safety Ordinance.

Recessed at 8:20 pm
Reconvened at 8:25 pm

2) LOT COVERAGE RATES DISCUSSION – The Township Planner explained how this became an issue in the Lake Residential District and stated that there are a lot of technical issues to consider. There was discussion regarding density and water quality, how lot areas are measured, setback and height requirements, impervious surfaces and nonconformities.

Board member Templeton stated that buffers do more to protect the lake than limiting lot coverage rates.

Moved by Templeton supported by Linnerson to direct the Planning Commission to take lot coverage rates out of the Zoning Ordinance in all districts. Motion carried.

7. PUBLIC HEARING: MEDICAL MARIJUANA MORATORIUM

ZOA 04-11-01 – AN ORDINANCE TO AMEND LONG LAKE TOWNSHIP ZONING ORDINANCE #109, AS AMENDED, TO INSERT TEXT INTO THE ORDINANCE TO IMPOSE A TEMPORARY HALT ON THE PROCESSING, PERMITTING OR APPROVAL OF ALL LAND USES ASSOCIATED WITH THE SALE, TRANSFER, USE OR CULTIVATION OF MEDICAL MARIJUANA IN THE TOWNSHIP, WHILE THE TOWNSHIP EXAMINES THE IMPACT OF MEDICAL MARIJUANA ON THE COMMUNITY AND EVALUATES PLANNING AND ZONING OPTIONS RELATED TO THIS VERY COMPLEX LAND USE ISSUE.

OPEN PUBLIC HEARING: 8:25 pm

- 1.) REVIEW AND RECOMMENDATION BY PLANNER
- 2.) QUESTION/DISCUSSION BY COMMISSIONERS
- 3.) OPEN PUBLIC HEARING TO PUBLIC COMMENT (Any person may speak for up to 3 minutes) **8:27 pm** Letter received from Lorraine Theil, 7872 Sunset Dr.,
- 4.) CLOSE PUBLIC HEARING TO PUBLIC COMMENT: **8:28 pm**
- 5.) DELIBERATION BY COMMISSIONERS
- 6.) DISPOSITION BY THE COMMISSIONERS; APPROVE, APPROVE WITH CONDITIONS AND /OR RECOMMENDATION, POSTPONE, DENY. ALL STATED WITH FINDING OF FACT, CONDITIONS AND RECOMMENDATIONS.

MOVED BY VERSCHAEVE SUPPORTED BY HUMITZ TO RECOMMEND APPROVAL OF ZOA 04-11-01 TO THE TOWNSHIP BOARD. MOTION CARRIED.

8. ADJOURNMENT - MOVED BY HOFFMAN SUPPORTED BY TOBIN TO ADJORN AT 8:30 PM. MOTION CARRIED.