



**Sheldon Neeley**  
Mayor

# CITY OF FLINT

## FLINT PLANNING COMMISSION

### Special Meeting Minutes June 7th, 2022

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#### **Commissioners Present**

Robert Wesley, Chair  
Carol-Anne Blower, Vice-Chair  
Lynn Sorenson, Secretary  
Harry Ryan  
Leora Campbell  
Robert Jewell  
April Cook-Hawkins

#### **Staff Present**

Suzanne Wilcox, Director of Planning and Development  
William Vandercook, Zoning Coordinator  
Joanne Gurley, Assistant City Attorney  
Jonathon Mateen, Planner I  
Max Lester, Planner I

#### ***Absent:***

#### **ROLL CALL:**

Chairperson Wesley called the meeting to order at 5:41 p.m. Roll was taken, and a quorum was present.

The meeting was held both in-person in the Council Chambers and via Zoom and phone conferencing as approved.

#### **Roll Call:**

Commissioner Ryan: appearing in-person  
Commissioner Campbell: appearing  
virtually from Flint, MI  
Commissioner Blower: appearing in-person  
Commissioner Jewell: appearing in-person

Commissioner Cook-Hawkins: appearing  
virtually from Flint, MI  
Commissioner Sorenson: appearing in-  
person  
Chairperson Wesley: appearing in-person

#### **ADDITIONS/CHANGES TO THE AGENDA:**

Chairperson Wesley asked if there were any proposed additions or changes to the agenda. None were suggested.

#### **ADOPTION OF THE AGENDA:**

Commissioner Wesley asked for a motion to approve the agenda. Commissioner Jewell motioned to accept the agenda as presented. Commissioner Blower seconded the motion.

#### ***M/S – Jewell/Blower***

***Unanimously carried by voice vote***

#### **PUBLIC FORUM:**

No one spoke. No other communications.



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### **SPECIAL MEETING DISCUSSION:**

Chairperson Wesley stated that this special meeting is for discussing proposed changes to Chapter 50 of the zoning code for the marihuana facility opt-in ordinance of 50-183.

Chairperson Wesley suggested a definition page be added for acronyms and terms used in the document.

Attorney Gurley noted a proposed change on Page 1 that adds temporary marihuana event to the ordinance. A temporary marihuana event license has fees and restrictions, and an event organizer needs to be licensed for marihuana events to receive a temporary marihuana event license.

Chairperson Wesley asked if the 11:00 am to 11:00 pm hours could be adjusted. Attorney Gurley stated they could be. Chairperson Wesley suggested the time be changed to end at 9:00 pm or 10:00 pm. Commissioner Jewell suggested the time be changed to end at 9:00 pm to be consistent with other facilities.

Commissioner Blower asked if marihuana events are defined. Attorney Gurley said the State has a definition. Chairperson Wesley asked if this could go in the previously mentioned definition section. Attorney Gurley said it could.

Commissioner Ryan asked Attorney Gurley if no-onsite consumption refers to both edibles and smoking on Page 2. Attorney Gurley stated that these events are like pop-up events, but the city has a no consumption ordinance. Commissioner Wesley wondered if the City would be liable if an accident occurred from someone leaving a licensed event while under the influence.

Commissioner Cook-Hawkins asked for clarification on what a marihuana event is if consumption is not allowed. Chairperson Wesley answered that vendors would be selling product.

Commissioner Jewell asked about language on Page 1, regarding venues approved for marihuana events by the City Council, if this is a standard process in other communities, and what this process is like. Attorney Gurley stated that for the example of Burton, the license would have to be approved by the Zoning Board of Appeals. Commissioner Jewell asked if the Flint Zoning Board of Appeals needs to be included in the process, or if applicants would need to make an application that is reviewed by the City Council, and if the application would first go through Planning Staff. Attorney Gurley recommended applications go through Staff first and stated the Planning Commission could be involved early in the process as well. Commissioner Jewell suggested the Planning Commission be added to make a recommendation to City Council.

Commissioner Campbell asked about the two marihuana events hosted the prior year in Flint. Attorney Gurley answered that an event was held at a golf course. Commissioner Campbell asked if they knew there is a marihuana ordinance. Attorney Gurley stated that the current marihuana ordinance does not account for temporary marihuana events, no permit exists for such an event in Flint.



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Chairperson Wesley asked about the start time for events on Page 2, suggesting they start at 10:00 am rather than 11:00 am. Commissioner Jewell stated that he was comfortable with the suggested 10:00 am to 9:00 pm time frame for events.

Commissioner Blower asked if there is a difference of what constitutes a temporary marihuana event if an event is hosted by a group with a marihuana event license verses an individual vendor setting up at an event with a more broad or unrelated focus. Commissioner Blower and Chairperson Wesley further asked if each individual vendor have a temporary marihuana event license or would the organizer hold the license. Attorney Gurley stated that under the State a temporary event license may be issued only to a person who holds a marihuana event organizer's license, and that one person would hold the event and be the applicant for the temporary event license.

Commissioner Jewell stated that his understanding is that it would be up to an event organizer to be responsible for all vendors associated with the event. Commissioner Blower expressed concern that smaller vendors would be left out. Commissioner Jewell said it may be helpful to see what other communities have done for pop-up vendors.

Commissioner Ryan stated that the issue of liability was not addressed. Attorney Gurley stated that the State is very clear on liability requirements for event organizers.

Commissioner Campbell stated that liability insurance should be specified to a million dollars and organizers should be required to hold a copy of the license during an event. Chairperson Wesley stated that proof of insurance would be a part of the checklist.

Attorney Gurley discussed the new class A Marihuana Microbusiness license, which is separate from a Marihuana Microbusiness license. The new license is an expansion to microbusinesses and would allow growing, processing, and selling in one location. Chairperson Wesley asked why the class A Microbusiness specifies the license is restricted to one location. Attorney Gurley stated that she would need to look more into this. Chairperson Wesley asked if this would be limited to one property or would it extend to only one unit on a property as well if there are multiple units in a building. Attorney Gurley clarified that the restriction is likely so that one license cannot be used to grow, process, or sell from more than one location.

Attorney Gurley explained a proposed change on Page 6 broadening the definition of an enclosed locked facility based on the definition from the State. Attorney Gurley stated that Captain Birnie had an issue with the language stating "permit access only by a registered primary caregiver or a registered qualifying patient". Discussion was held on why a qualifying patient would be in the facility, Attorney Gurley stated she could get further information on this, and the language can be removed if desired. Chairperson Wesley suggested leaving the text out.



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Attorney Gurley explained a proposed change that added licensed home-based childcare centers to location restrictions of marijuana businesses. Chairperson Wesley asked how these centers would be identifiable in the GIS tools used by Planning Staff.

Commissioner Jewell noted there are two number nines on Page 6.

Chairperson Wesley asked about language on Page 8 regarding places of worship saying as determined by the City Assessor's Office and if this can be removed. Commissioner Jewell added that the definition of a place of worship is good, but the language regarding the City Assessor's office is challenging as leaving government bodies to make these determinations can cause issues. Chairperson Wesley asked that "as determined by the City Assessor" to be removed.

Discussion was held on a religious building that was in a prior Planning Commission case.

Discussion was held on tax exempt statuses that religious organizations can be organized under.

Chairperson Wesley asked about residential designations in the Draft Marijuana Ordinance when the Draft Zoning Ordinance had not yet been adopted. Commissioner Jewell stated these would be left for now and amended later.

Attorney Gurley explained a definition added for "Useable Marijuana" on Page 9 and how it must be stored.

Attorney Gurley explained a definition added for "Youth Centers", following comments made in City Council meetings. Chairperson Wesley asked if the marijuana business that was approved next to where the Children's Museum is thinking of opening a location will be grandfathered under this proposed definition addition. Commissioner Blower asked if this covered private parks or if only applies to brick-and-mortar buildings. Attorney Gurley stated this specifically relates to brick-and-mortar buildings. Commissioner Blower clarified the aspect of sports leagues on private property. Attorney Gurley stated she believed Grand Rapids included language specifying meeting a minimum of three days a week to classify as a youth program, and that she shortened it to two days per week.

Attorney Gurley explained proposed additions that clarified fees for employee background checks for the Flint Police Department.

Attorney Gurley explained an addition on Page 18 that applicants would acknowledge in the attestation that there will be sanctions for violating the City's Ordinances as it pertains to their license if their license has expired.

Attorney Gurley explained a proposed addition on Page 23 that gives a definition to "Restricted Access Areas" from the State.



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Attorney Gurley spoke on proposed additions for standard operating procedures for Class A Microbusiness, stating that these are standard. Attorney Gurley noted language stating this license cannot be collocated with other licenses.

Attorney Gurley noted a change of operating hours from to 9:00 pm on Page 41 that was not marked in red.

Commissioner Blower asked if the new class A would be called Microbusiness with everything else being a normal business, Attorney Gurley noted that Microbusiness and class A Microbusiness are two separate licenses. Discussion was held on whether there could be a larger distinction made between them. Bill Vandercook noted on approved classifications on the application, there is a distinction between Class A, Class B, and Class C grow. Commissioner Jewell suggested that Mr. Vandercook and Attorney Gurley sit down and work out the details for this issue.

Chairperson Wesley reviewed a proposed change on Page 46 that specifies Group E special regulated use applications shall not be approved if a location is within a thousand feet of a Pre-K—12, licensed home, daycare center, youth center, and substance abuse disorder rehabilitation facilities. Attorney Gurley clarified the addition of substance abuse disorder rehabilitation facilities would ensure marijuana businesses would not be established near rehabilitation facilities. Places of worship were also specified in this section.

Chairperson Wesley asked what a medical research facility would encompass, Attorney Gurley stated this could be a university medical research facility.

Attorney Gurley explained a proposed change on Page 60 to update the year.

Commissioner Jewell suggested that Planning Staff and Attorney Gurley have time to review the proposed edits made by the Planning Commission and present them again for approval.

Mr. Vandercook suggested a change on Page 22 to allow applicants to stack licenses administratively under certain circumstances if there are no changes to the site.

Discussion was held on when the next meeting regarding the Permanent Marijuana Ordinance should be held, the June 28<sup>th</sup>, 2022 meeting was determined.

Commissioner Jewell expressed thanks to Attorney Gurley for her effort in the Draft Marijuana Ordinance.

### **ADJOURNMENT:**

***M/S – Jewell/Sorenson***

***Unanimously carried by voice vote.***

Meeting adjourned at 7:46 PM.