

**CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES**

November 16, 2023

T. Michalski called the meeting to order at 4:03 p.m. and roll was taken.

MEMBERS PRESENT: J. Seyferth, K. Johnson, J. Montgomery-Keast, E. Hood, D. Keener,
J. Doyle, T. Michalski

MEMBERS ABSENT: S. Blake

MEMBERS EXCUSED: B. Mazade

STAFF PRESENT: M. Franzak, W. Webster, P. Loudermill.

OTHERS PRESENT:

APPROVAL OF MINUTES

A motion to approve the Minutes of the Planning Commission meetings on October 12, 2023 and November 6, 2023, was made by J. Montgomery-Keast, supported by E. Hood, and unanimously approved.

OLD BUSINESS

None.

NEW BUSINESS

None.

PUBLIC HEARINGS

Hearing, Case 2023-31: Request for a special land use permit to operate a Class B marihuana grow facility at 907 and 911 W Laketon Ave.

SUMMARY

1. The property is zoned B-4, General Business. The parcel measures 9,594 sf and the building measures 4,600 sf.
2. Class B marihuana grow facilities are allowed in B-4 districts with the issuance of a special land use permit. Class B marihuana grow facilities allow for the cultivation of up to 500 marihuana plants at a time.
3. This facility had recently been used as a marihuana caregiver facility, which allowed marihuana caregivers to grow marihuana for up to five patients (up to 72 plants per

caregiver). There were three caregivers associated at this address. The facility was closed earlier this year after State Police discovered excess marihuana being grown on site.

4. The City had received several complaints from neighbors about odor over the years that it was used as a caregiver facility. The issue was usually resolved once the property owner changed the filters.
5. Notice was sent to every property within 300 feet of this location. At the time of this writing, staff had not received any comments from the public.

PUBLIC COMMENTS

None.

CLOSE PUBLIC HEARING – MOTION

A motion to close the public hearing was made by K. Johnson, supported by J. Montgomery-Keast and unanimously approved.

MOTION

J. Doyle moved, seconded by D. Keener moved, that the request for a special land use permit to operate a Class B marihuana grow facility at 907 and 911 W Laketon Ave be approved with the following conditions based on the finding of facts pertaining to the standards for approval of discretionary uses.

1. The special land use permit be revoked if there are numerous complaints regarding odor.

ROLL CALL VOTE

K. Johnson: Yes

T. Michalski: Yes

J. Montgomery-Keast: Yes

E. Hood: Yes

D. Keener: Yes

J. Seyferth: Yes

J. Doyle: Yes

MOTION PASSES

Hearing, Case 2023-32: Staff initiated request to amend the form-based code section of the zoning ordinance to revise the signage types and requirements.

SUMMARY

1. Please see the zoning ordinance excerpt regarding projecting signs on the following page.
2. Projecting signs may only be up to 12 sf in size. However, the Planning Commission has granted departures for some larger projecting signs (see below for examples).
3. Staff is proposing to permit these larger signs if they reference the name of the building, and not an individual business. If a business were to close, it may not be feasible for a new business to utilize such a large sign frame, which would lead to blight issues from the vacant sign frame.
4. These larger projecting signs would only be allowed in the Downtown and Mainstreet context areas. They could be up to four feet wide and extend up to five feet away from the building.

PUBLIC COMMENTS

None.

CLOSE PUBLIC HEARING – MOTION

A motion to close the public hearing was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

MOTION

J. Seyferth moved, seconded by D. Keener moved, that the request to amend the form-based code section of the zoning ordinance to revise the requirements for projecting signs be recommended to the City Commission for approval as proposed.

ROLL CALL VOTE

K. Johnson: Yes

T. Michalski: Yes

J. Montgomery-Keast: Yes

E. Hood: Yes

D. Keener: Yes

J. Seyferth: Yes

J. Doyle: Yes

MOTION PASSES

UPDATES ON PREVIOUS CASES

None.

OTHER

None.

ADJOURN

There being no further business, the meeting was adjourned at 4:47 pm.