



# VILLAGE OF PENTWATER

## Planning Commission

ON PENTWATER LAKE AND LAKE MICHIGAN  
65 N Hancock Street, P.O. Box 622, Pentwater, Michigan 49449  
(231) 869-8301 – FAX (231) 869-5120

### Regular Meeting Minutes – July 27, 2021

Chairperson Bruce Koorndyk called the regular meeting of the Pentwater Village Planning Commission Meeting to order at 6:00 pm, in-person at Park Place, 310 N. Rush Street, Pentwater, with the Pledge of Allegiance.

#### ROLL CALL

**Present:** Bruce Koorndyk, Paul Anderson, Chris Conroy, Mary Temple, Amy Roberson, Michelle Angell-Powell and Ron Stoneman (arrived at 6:16 pm).

**Absent:** None

**Staff Present:** Keith Edwards, Zoning Administrator.

#### APPROVAL OF AGENDA

**Motion** by Chris Conroy, second by Paul Anderson to approve the Agenda as presented.

Voice Vote: Aye: 6      Nay: 0      Absent: 1      Motion passed.

#### APPROVAL OF REGULAR MEETING MINUTES

**Motion** by Paul Anderson, second by Chris Conroy to approve the June 22, 2021 regular meeting minutes.

Voice Vote: Aye: 6      Nay: 0      Absent: 1      Motion passed.

#### PUBLIC COMMENTS:

Claudia Ressel-Hodan commented that the Planning Commission agenda was not on the website and that the marijuana issue needs a public hearing.

Zoning Administrator, Keith Edwards replied that he had forgotten to put the agenda packet on the website on Friday, but that it was posted in hard-copy as required by the open meetings act, and that any Zoning Ordinance amendment proposed requires that a public hearing be held by the Planning Commission prior to the Planning Commission making a recommendation to the Village Council.

Planning Commissioner Ron Stoneman arrived at 6:16 pm.

**PUBLIC HEARING** – None.

**OLD BUSINESS** – None.

## NEW BUSINESS

### A. Proposed Zoning Ordinance Amendment - Introduction of Medical and Recreational Marijuana Provisioning Centers/Retailers.

Chairperson Bruce Koorndyk asked Zoning Administrator Keith Edwards to give a summary of his Staff Report dated July 23, 2021.

Currently, such facilities cannot exist in the Village unless the Village Zoning Ordinance is amended to allow the Marijuana Provisioning Centers/Retailers. Please refer to the attached memorandum and proposed Zoning Ordinance Amendment from Village Attorney, Brian Monton. Since the majority of retail businesses are located within the C-3, Central Business District as depicted on the Zoning Map, and the Marijuana Facilities/Establishments Ordinance allows only Provisioning Center/Retail licenses and not growers, testing facilities, etc., it seemed logical to consider allowing such uses within the C-3, Central Business Zoning District. However, the Planning Commission may wish to discuss whether or not the C-3 District is the appropriate location for Marijuana Provisioning Centers/Retailers. The Planning Commission may also wish to recommend whether Marijuana Provisioning Centers/Retailers will be allowed as Permitted Uses or Special Land Uses within the Zoning District you choose.

The draft of this Licensing Ordinance is attached for reference. The Licensing Ordinance was adopted by the Village Council on July 12, 2021. The adopted ordinance is not yet available as it has not yet been published and therefore not yet effective.

The attached Zoning Ordinance amendment prepared by Village Attorney, Brian Monton simply adds the appropriate definitions to Section 2.14 of Chapter 2 and provisions to permit a Provisioning Center/Retail use to the Permitted Uses of Chapter 12, specifically including them as paragraph (J) and moving down the allowable accessory buildings structures and uses to paragraph (K) of Section 12.02.

Keith Edwards also reported that the majority of the other stores in West Michigan are located within buildings in struggling strip commercial, office, industrial or warehouse districts, have their own parking lots, and are often associated with adjacent uses among struggling neighborhoods, pawn shops, bail bonds, tattoo and tobacco shops and liquor or convenience stores. Should Pentwater have the first such store in Oceana County, it will likely be a “destination” attraction, at least during the “honeymoon” period.

Mr. Edwards also reviewed the standards included in the Licensing Ordinance adopted by Village Council, which includes such location standards such as:

- Facilities cannot be located within a residential Zoning District, within 500 feet of a school, nor 250 feet from a religious institution;

- All Marijuana shall be kept within an enclosed, secured building and shall not be visible from any location outside of the building; and Marijuana facilities shall be closed for business, including deliveries between 9 pm and 7 am.

Mr. Edwards suggested that the Planning Commission may wish to discuss:

- Since the majority of properties within the C-3, Central Business District are located along Hancock Street – is this the proper location for Marijuana Provisioning Centers/Retailers?
- If not to be located within the C-3 District, is there another location within the Village that would be appropriate? For example:
  - The C-1 General Commercial District along Sixth Street?
    - If so, should the C-1 District be enlarged along this corridor?
  - The LI, Light Industrial District?
    - Today, the Pentwater Wire factory encompasses the entire area within the LI District, and could contain more than one Marijuana Provisioning Center/Retailer of 10,000 sq. ft.
    - If the LI District is the appropriate one, should other properties be considered for this Zoning District designation?
- The Planning Commission should also discuss whether or not Marijuana Provisioning Centers/Retails should be permitted by right, subject to the license being issued solely by the Village Manager, or a Special Land Use, which would require a public hearing and site plan review to be held by the Planning Commission.

Every amendment to the Zoning Ordinance, including the Zoning Map requires appropriate public notice and that a public hearing be held by the Planning Commission. After the public hearing, the Planning Commission is welcome to make a recommendation to the Village Council.

Mr. Edwards also said that the Planning Commission will begin discussion of the Future Land Use Map within the context of the Master Plan that will also consider making more commercial space available adjacent to Downtown Pentwater in an area bounded between Second and Fifth Streets; and, Hancock and Carroll Streets, which may also include the addition of an additional Zoning District between the C-1 and C-3 Zoning Districts.

After discussion, it was the consensus of the Planning Commission that a revised Zoning Ordinance amendment should include a provision for Special Land Use approval, which includes Site Plan Review to take place by the Planning Commission and may include the following standards:

- All those listed by the Village Marijuana Licensing Ordinance;
- Not located on Hancock Street;
- May require on-site parking; and,
- May require air handling units.

Mr. Edwards also offered the Village Attorney Brian Monton is willing to attend a future Planning Commission meeting to discuss Marijuana Regulation including a Zoning Ordinance Amendment.

**COMMITTEE/DEPARTMENT REPORTS**

- A. Zoning Administrator** – Mr. Edwards’ written report was submitted to the Planning Commission.
  
- B. Zoning Board of Appeals** – The Zoning Board of Appeals did not meet in June, 2021.
  
- C. Master Plan Steering Committee** – No meeting, no report.

**COMMUNICATIONS FROM PLANNING COMMISSION MEMBERS** – None.

**PUBLIC COMMENTS** – None.

**ADJOURNMENT**

**Motion** by Angell-Powell, second by Paul Anderson to adjourn the meeting at 7:38 pm.  
Voice Vote: Aye: 7      Nay: 0      Absent: 0    Motion passed.

Respectfully Submitted,  
Keith Edwards, Zoning Administrator

July 1, 2021

Approved by the Village of Pentwater Planning Commission on August 4, 2021.