

1. PC Packet 12/18/19 Revised

Documents:

[PC PACKET 12-18-19 REVISED.PDF](#)

Agenda
Planning Commission
Wednesday, 18 December 2019 – 7:00 P.M.
City Hall – Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	P	A
Jared Talaga, Vice-Chair	P	A
Mike Davis, Jr	P	A
Jessica Donnelly	P	A
Phil Hollifield	P	A
Heidi Jugenitz	P	A
Michael Simmons	P	A

III. Approval of Minutes

- November 20, 2019

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

V. Presentations and Public Hearing Items

- Adult-Use (Recreational) Marijuana Ordinance
Zoning Ordinance Text Amendment

VI. Old Business

VII. New Business

- Annual Report

VIII. Future Business Discussion / Updates

IX. Committee Reports

- Non-motorized Committee Report
- Master Plan: Housing Affordability and Access Committee report

X. Adjournment

Planning Commission Minutes
Wednesday, 20 November 2019 – 7:00 P.M.
City Hall – Council Chambers,
1 S Huron St Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Matt Dunwoodie, Chair	A	Jared Talaga, Vice-Chair	P
Mike Davis, Jr	P	Jessica Donnelly	P
Phil Hollifield	A	Heidi Jugenitz	A
Michael Simmons	P		

III. Approval of Minutes

• *September 18, 2019*

Offered By: Commissioner Simmons; Seconded By: Commissioner Donnelly

Approved: Yes – 4; No – 0; Absent – 3 (Dunwoodie, Jugenitz, Hollifield)

IV. Audience Participation

Open for general public comment to Planning Commission on items for which a public hearing is not scheduled. Please limit to five minutes.

V. Presentations and Public Hearing Items

• *815 W. Michigan Ave. – Octapharma Plasma Site Plan*

Commissioner Talaga recused himself due to conflict of interest. No quorum on the matter.

Agenda item tabled to December 2019. Public hearing was still held

Motion to open the Public Hearing

Offered By: Commissioner Donnelly. Seconded By: Commissioner Simmons

Approved: Yes – 5; No – 0; Absent – 3 (Dunwoodie, Jugenitz, Hollifield)

Van Logans 115 Hawkins St.- Would like clarity on on the site review for Octapharma. He has heard vicious rumors from building into the greenspace in the back existing facility for additional storage. Storage for what? It seems suspicious. He believes this is gateway legislation in an attempt to gentrify the area. The other concern is that they are trying to make this into a retail marijuana facility. He heard at the council meeting last night that someone is trying to make a consumption facility in the city. He is worried about the foot traffic, and the area his grandchildren play. They will be in force next month to block a marijuana facility.

Brian Foley- 425 Ainsworth St. - The area in question is a residential area, not a business area. He was also at council last night and heard from an individual that planned to set up a “smoke house” where people can come to smoke their weed. All the current marijuana facilities are in his neighborhood. He calls this purposeful displacement of a people who live there and this is a process of getting them out of their community. This cannot happen in our neighborhood. He does not understand why Toi Dennis was not reappointed to this commission. Now he understands that this was on purpose to take away a black voice that represents their community.

Lois Richardson- Mayor Pro Tem for the City of Ypsilanti- Would like to extend gratitude for everyone serving on the commission. Would like to address Octapharma. They want to extend

down into an R1 district. Once you let one business into an R1, others will want to follow. A few years ago someone in the neighborhood wanted to convert her house into an apartment but the commission said no because its zoned R1. People who choose to live in R1 do not want multi-family or businesses in their neighborhood. She echoes Mr. Foley in that they do not want any marijuana facilities south of Michigan Avenue. They have the one on S. Huron St. that is atrocious. She urged that the commission remember that when a marijuana application comes before them, they do not want any south of Michigan Ave.

Devon France- 128 Hawkins St. - She agrees with Mr. Foley and Mr. Logan. Is concerned with the traffic they already have with Octapharma. She is not comfortable with even more unfamiliar faces coming to get high. She is concerned for the safety of her kids, the neighborhood kids, and the elderly.

Bob Kowinski 706 Dwight St. - Two non-motorized agenda items on tonight are supported by the non-motorized committee.

William Simmons of Ypsilanti - Doesn't know why we keep coming back to bombard their community with these businesses. This is not right. This has to stop. When are we as a city going to bring in better business than marijuana? You would rather see our people destroyed rather than take it out on your own folks. We're tired of it.

Motion to close the public comment

Offered By: Commissioner Donnelly. Seconded By: Commissioner Simmons

Approved: Yes – 5; No – 0; Absent – 3 (Dunwoodie, Jugenitz, Hollifield)

Commissioner Donnelly and Simmons expressed confusion.

Commissioner Donnelly thanked everyone for coming out with so much worry for your community but thought there was a little confusion about what exactly is happening. Nothing with marijuana is happening at this site.

She explained that the application is for an expansion of the storage area. The expansion is also happening along Michigan Ave, and the land on Hill Street is already owned by Octapharma. The only things that are being talked about for that back area facing residential area are conditions required to improve that area including fencing, ADA accessibility, and treescaping.

VI. Old Business

VII. New Business

• 2020 Calendar of PC Meetings

Offered By: Commissioner Davis Jr. Seconded By: Commissioner Donnelly

Approved: Yes – 5; No – 0; Absent – 3 (Dunwoodie, Jugenitz, Hollifield)

• Capital Improvements Review

Bonnie Wessler presented the 2020 West Cross Reconstruct project as stated in the memo in the packet.

Commissioner Davis Jr. asked about flashing school zone lights on Cross Street. The OHM representative will take a look at the flashing signs.

The commission discussed rapid rectangular flashing beacons

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF YPSILANTI: Whereas, the City has adopted a Complete Streets Ordinance to encourage the construction of safe

transportation infrastructure for all users; and Whereas, the City has adopted a Non-Motorized Plan calling for the addition of bike lanes on West Cross; and Whereas, West Cross from Courtland to Elbridge is proposed for Reconstruction in 2020; Now therefore be it resolved that the Ypsilanti Planning Commission support the proposed reconstruction plans dated 10/25/2019, and encourages the Department of Public Services and City Council to complete the sidewalk along the north side of Cross between Marion and Courtland in the near future.

OFFERED BY: Davis Jr. SUPPORTED BY: Simmons YES: Talaga, Donnelly NO: ABSENT: Dunwoodie, Hollifield, Jugenitz VOTE: Passed.

Bonnie Wessler presented the extension and support of the Border to Border Trail network particularly in the frog island area.

RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF YPSILANTI: Whereas, the City has adopted a Parks and Recreation Plan encouraging the extension and support of the Border to Border Trail network; and Whereas, the proposed work expands the capacity of the trail in Frog Island as well as improves access to the park by all users; and Whereas, the Washtenaw County Parks and Recreation Commission and the DNR have agreed to provide financial support of this project, and the WCPRC has already provided and will continue to provide extensive in-kind support of this project; Now therefore be it resolved that the Ypsilanti Planning Commission support the proposed improvement plans received 11/15/2019.

OFFERED BY: Davis Jr. SUPPORTED BY: Donnelly YES: Talaga, Simmons NO: ABSENT: Dunwoodie, Hollifield, Jugenitz VOTE: Passed.

VIII. Future Business Discussion / Updates - Christopher Jacobs informed the committee that staff will be posting a public notice for the zoning language of recreational marijuana.

IX. Committee Reports

- *Non-motorized Committee Report* - The committee is setting its 2020 priorities. There is a committee member approval for Jenny Connelly.

Motion to approve Jennifer Connelly to sit on the Non-motorized Committee.

Offered By: Commissioner Donnelly. Seconded By: Commissioner Davis Jr.

Approved: Yes – 5; No – 0; Absent – 3 (Dunwoodie, Jugenitz, Hollifield)

- *Housing Plan* - n/a

X. Adjournment

Motion to adjourn.

Offered By: Commissioner Simmons. Seconded By: Commissioner Davis Jr.

Approved: Yes – 5; No – 0; Absent – 3 (Dunwoodie, Jugenitz, Hollifield)

Ordinance No. _____

An Ordinance Entitled “Michigan Regulation and Taxation of Marihuana Act Zoning Update”

THE CITY OF YPSILANTI HEREBY ORDAINS:

That Section 122-203 be amended as follows:

Designated consumption establishment license. A Facility that is licensed and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state license.

Excess marihuana grower. A facility holding 5 class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

Marihuana secure transporter license. A facility licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishment as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Growing and/or Processing Facility. A facility for the cultivation and/or processing of recreational marihuana into a usable form and “grower” or “processor” as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Microbusiness. A facility licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

Recreational Marihuana Retailer. A facility that sells, supplies, or provides recreational marihuana to individuals directly; and as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018

Recreational Marihuana Safety Compliance Facilities. A facility to test marihuana, including certification for potency and the presence of contaminant as defined by the Michigan Regulation and Taxation of Marihuana Act Initiated Law 1 of 2018.

School. School is defined as any building, playing field, or property used for school purposes to impart instruction to children in grades kindergarten through 12, when provided by a public, private, denominational, or parochial school, except those buildings used primarily for adult education or college extension courses.

That Section 122-446 (C) be amended as follows:

Recreational Marihuana Retailer (permitted)

Recreational Marihuana Microbusiness (special use)

That Section 122-451(NC, GC, HC) be amended as follows:

Recreational Marihuana Retailer (special use in GC)

Recreational Marihuana Growing and/or Processing Facility (special use in GC)

Recreational Marihuana Microbusiness (special use in GC)

Marihuana secure transporter license (special use in GC)

Designated consumption establishment license (special use in GC)

That Section 122-461 (HHS) be amended as follows:

Recreational Marihuana Safety Compliance Facilities. (special use)

That Section 122-431 (PMD) be amended as follows:

Recreational Marihuana Growing and/or Processing Facility (special use)

Excess marihuana grower (special use)

Marihuana secure transporter license. (special use)

Recreational Marihuana Safety Compliance Facilities. (special use)

Recreational Marihuana Microbusiness (special use)

Designated consumption establishment license (special use)

That Section 122-522 be added as follows:

Designated consumption establishment.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Recreational Marihuana Designated Consumption Establishment apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the designated consumption establishment license and to the outermost boundaries of the lot or parcel on which the school is located;
3. The Recreational Marihuana Designated Consumption Establishment site shall not be located within one thousand (1,000) feet of a lawfully existing Recreational Marihuana Designated Consumption Establishment and five hundred (500) feet from other types of marihuana facilities as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
4. Use of recreational marihuana is prohibited on the premises;
5. Use of marihuana is prohibited on the premises unless otherwise noted;
6. All activity related to the Designated consumption establishment license shall be done indoors;
7. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
8. If the designated consumption establishment license ceases operation for a length of time of sixty (60) days or greater, any Special Use permit shall expire;
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,
10. All designated consumption establishment license must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
11. The dispensing of recreational marihuana shall be prohibited.
12. No designated consumption establishment shall be located in a building with other uses (commercial or residential in building)
13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-525 be added as follows:

Excess Marihuana Grower

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory

provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

b) The following standards for Excess Marihuana Grower apply:

1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
2. The excess marihuana grower site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the excess marihuana grower facility and to the outermost boundaries of the lot or parcel on which the school is located;
3. The excess marihuana grower facility site shall not be located within five hundred (500) feet of a lawfully existing marihuana facility as measured from the outermost boundaries of the lot or parcel on which the proposed excess marihuana grower facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
4. Use of marihuana is prohibited on the premises unless otherwise noted;
5. All activity related to the excess marihuana grower facility shall be done indoors;
6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
7. If the excess marihuana grower facility ceases operation for a length of time of sixty (60) days or greater, any Special Use permit shall expire;
8. Drive-through and walk-up or similar facilities shall be prohibited;
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
10. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
11. All excess marihuana grower facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
12. The dispensing of recreational marihuana shall be prohibited.

13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-538 be added as follows:

Marihuana secure transporter.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Recreational Marihuana Secure Transporter Facility apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the Secure Transporter Facility and to the outermost boundaries of the lot or parcel on which the school is located;
 3. The Recreational Marihuana Secure Transporter Facility site shall not be located within a five hundred (500) feet of a lawfully existing marihuana facility as measured from the outermost boundaries of the lot or parcel on which the Secure Transporter Facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the Secure Transporter Facility shall be done indoors;
 6. The premises shall be open for inspection upon request by the Building Official, the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
 7. If the Recreational Marihuana Secure Transporter Facility ceases operation for a length of time of sixty (60) days or greater, any Special Use permit shall expire;
 8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein,

9. All Recreational Marihuana Secure Transporter Facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 8 of the City Code of Ordinances;
10. The dispensing of recreational marihuana shall be prohibited.
11. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-548 be added as follows:

Recreational Marihuana Cultivation and/or Processing Facilities.

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for recreational Marihuana Cultivation and/or Processing Facilities apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The growing and/or processing facility site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the school is located;
 3. The growing and/or processing facility site shall not be located within a five hundred (500) feet of a lawfully existing marihuana facility as measured from the outermost boundaries of the lot or parcel on which the proposed growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the growing and/or processing facility shall be done indoors;
 6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
 7. If the growing and/or processing facility ceases operation for a length of time of sixty (60) days or greater, any Special Use permit shall expire;

8. Drive-through and walk-up or similar facilities shall be prohibited;
9. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein
10. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
11. All growing and/or processing facilities must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
12. The dispensing of recreational marihuana shall be prohibited.
13. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-549 be added as follows:

Recreational Marihuana Microbusiness

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Recreational Marihuana Microbusiness apply:
 1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the growing and/or processing facility and to the outermost boundaries of the lot or parcel on which the school is located;
 3. The Recreational Marihuana Microbusiness facility site shall not be located within one thousand (1,000) feet of a lawfully existing recreational marihuana microbusiness, and five hundred (500) feet from other types of marihuana facilities as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;

4. Use of recreational marihuana is prohibited on the premises;
5. Use of marihuana is prohibited on the premises unless otherwise noted;
6. All activity related to the safety and compliance shall be done indoors;
7. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
8. If the Recreational Marihuana Microbusiness ceases operation for a length of time of sixty (60) days or greater, any Special Use permit shall expire;
9. Drive-through and walk-up or similar facilities shall be prohibited
10. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein administrative rules or regulations contained or adopted under the authority therein;
11. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
12. All Recreational Marihuana Microbusiness facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
13. Growing, cultivation, processing, testing and sales of recreational marihuana in the microbusiness is allowed so long as it's done within the facility and has a maximum of 150 plants as allowed by the MRTMA and the MRA with LARA.
14. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

That Section 122-550 be added as follows:

Recreational Marihuana Retailers.

(a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any

other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.

(b) The following standards for Recreational Marihuana Retailers apply:

- (1) The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (2) The recreational marihuana retailer shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the provisioning center is located to the outermost boundaries of the lot or parcel on which the school is located;
- (3) The recreational marihuana retailer shall not be located within one thousand (1,000) feet of a lawfully existing recreational marihuana retailer, and five hundred (500) feet from other types of marihuana facilities as measured from the outermost boundaries of the lot or parcel on which the proposed recreational marihuana facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
- (4) Use of recreational marihuana is prohibited on the premises;
- (5) All activity related to the recreational marihuana retailer shall be done indoors;
- (6) The premises shall be open for inspection upon request by the Building Official, the Fire Department, and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
- (7) Drive-through and walk-up or similar facilities shall be prohibited;
- (8) All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MMMA, the MMFLA, the MTA, as well as any and all administrative rules or regulations contained or adopted under the authority therein;
- (9) All recreational marihuana retailers must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
- (10) Growing, cultivation, or processing of recreational marihuana in a recreational marihuana retailer is prohibited

That Section 122-551 be added as follows:

Recreational Marihuana Safety Compliance Facilities

- a) Generally. Nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution for growing, sale, consumption, use, distribution, or possession of marihuana not in strict compliance with the State of Michigan laws and rules. Also, since Federal law is not affected by the Act or the General Rules, nothing in this Chapter, or in any companion regulatory provision adopted in any other provision of this Code, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law.
- b) The following standards for Recreational Marihuana Safety Compliance Facilities apply:
1. The facility shall operate at all times in compliance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein;
 2. The site shall not be located within one thousand (1,000) feet of a school, as measured from the outermost boundaries of the lot or parcel on which the recreational marihuana safety compliance facility and to the outermost boundaries of the lot or parcel on which the school is located;
 3. The Recreational Marihuana Safety Compliance facility site shall not be located within a five hundred (500) feet of a lawfully existing marihuana facility as measured from the outermost boundaries of the lot or parcel on which the proposed Recreational Marihuana Safety Compliance facility and to the outermost boundaries of the lot or parcel on which the lawfully existing marihuana facility is located;
 4. Use of marihuana is prohibited on the premises unless otherwise noted;
 5. All activity related to the recreational marihuana safety compliance facility shall be done indoors;
 6. The premises shall be open for inspection upon request by the Building Official the Fire Department and law enforcement officials for compliance with all applicable laws and rules, during the stated hours of operation/use and as such other times as anyone is present on the premises.
 7. If the Recreational Marihuana Safety Compliance facility ceases operation for a length of time of sixty (60) days or greater, any Special Use permit shall expire;
 8. All recreational marihuana shall be contained within the main building in an enclosed, locked facility in accordance with the General Rules of the Michigan Department of Community Health, the MRTMA as well as any and all administrative rules or regulations contained or adopted under the authority therein administrative rules or regulations contained or adopted under the authority therein;
 9. That portion of the structure where the storage of any chemicals shall be subject to inspection and approval by the Ypsilanti Fire Department to insure compliance with the Michigan Fire Protection Code;
 10. All Recreational Marihuana Safety Compliance facility must be registered with and licensed by the State Department of Licensing and Regulatory Affairs, as well as be permitted under Chapter 7 of the City Code of Ordinances;
 11. The dispensing of recreational marihuana shall be prohibited.

12. There shall be no other accessory uses permitted within the same building, other than those clearly necessary for continued operation, such as offices, employee facilities, and storage.

To further amend Article V, Use Restrictions, Division 1: Specific Standards for Certain Uses, to ensure that the newly created sections are located in alphabetical order; sections in said Division are re-numbered, and that references to those sections are updated throughout the Chapter.

MADE, PASSED, AND ADOPTED BY THE YPSILANTI CITY COUNCIL THIS _____ DAY OF _____, 2019

Andrew Hellenga, City Clerk

Attest

I do hereby confirm that the above Ordinance No. _____ was published in the Washtenaw Legal News on the _____ day of _____, 2019.

Andrew Hellenga, City Clerk

CERTIFICATE OF ADOPTING

I hereby certify that the foregoing is a true copy of the Ordinance passed at the regular meeting of the City Council held on the _____ day of _____, 2019.

Andrew Hellenga, City Clerk

Notice Published: _____

First Reading: _____

Second Reading: _____

Published: _____

Effective Date: _____

DRAFT



December 18, 2019

Staff Review
Adult-Use (Recreational) Marijuana Text Amendments

GENERAL INFORMATION

Applicant: City of Ypsilanti

Action Requested: Recommendation to City Council to approve adult-use (recreational) marijuana text amendments to Chapter 122: Article II, Article IV, and Article V.

SUMMARY

State regulations regarding marijuana facilities have recently arrived with the adoption of the Michigan Regulation and Taxation of Marihuana Act (MRTMA). These regulations allow for adult-use marijuana (also known as “recreational marijuana”) establishments to grow, process, and ultimately sell marijuana for users 21 years of age or older. The previous City and State marijuana laws only allowed for *medical* marijuana facilities. The purpose of these proposed text amendments is to provide zoning regulations for recreational marijuana.

BACKGROUND

In 2016, the State of Michigan set the groundwork for the commercialization of marijuana, by passing the Medical Marihuana Facilities Licensing Act (MMFLA). The City of Ypsilanti soon-after followed and adopted local regulations pertaining to commercial medical marijuana facilities. The current “caps” as provided in the ordinance are currently satisfied at seven provisioning centers and three growing facilities.

Furthermore, in fall of 2018, the voters of the State of Michigan approved a ballot initiative (Proposal 1) to legalize adult-use marijuana. Ypsilanti voters supported this ballot measure by over 78%. City Council adopted *Chapter 8 – Adult Use – Recreational Marijuana* in October 2019, showing the intent to provide licenses for the following license types: *marihuana retailer, marihuana safety compliance facility, marihuana secure transporter, marihuana processor, marihuana microbusiness, class A marihuana grower, class B marihuana grower, class C marihuana grower, excess marihuana grower, and designated consumption establishment.*

However, until zoning regulations are adopted pertaining to the zoning districts, use regulations, distance requirements, etc., in which facilities may locate, the City is not yet accepting applications for recreational marijuana developments.

DISCUSSION

This amendment does not repeal the medical marijuana facility zoning regulations. These new provisions are intended to be tailored into the existing zoning ordinance. See the chart below as a guide to which license types are allowed, pertaining to zoning districts and distance requirements.

PROPOSED Adult-Use Marijuana Zoning/Locational Chart		
License/ Facility Type	Zoning District & Use	Distance Requirement*
Recreational Marijuana Retailer	C - Permitted GC - Special	1000 ft. from same type; 500 ft. from other types
Marihuana Microbusiness	C - Special GC - Special PMD - Special	1000 ft. from same type; 500 ft. from other types
Designated Consumption Establishment	GC - Special PMD - Special	1000 ft. from same type; 500 ft. from other types
Recreational Marijuana Growing and/or Processing Facility	GC - Special PMD - Special	500 ft. from same or other types
Marihuana Secure Transporter	GC - Special PMD - Special	500 ft. from same or other types
Marihuana Safety Compliance Facility	HHS - Special PMD - Special	500 ft. from same or other types
Excess Marijuana Grower	PMD - Special	500 ft. from same or other types
NOTES *Distance requirement is distance, lot line to lot line, from marijuana facilities. All marijuana facilities are subject to 1000 ft. distance requirement from schools.		

The City recognizes- through prior laws and implementation of *medical* marijuana facilities- there are concerns about clustering of marijuana facilities. The intent is to continue buffering from marijuana facility to marijuana facility to prevent clustering. Also, the City intends to designate all marijuana uses in their eligible zoning districts as Special Uses with the exception for recreational marihuana retailers in Center districts as a Permitted Use.

STANDARDS FOR AMENDMENTS

§122-362(a)

(a) **Text Amendment.** For a change to the text of the Zoning Ordinance, the Planning Commission shall consider and the City Council may consider, whether the proposed amendment meets the following standards:

(1) *The proposed amendment is consistent with the guiding values of the Master Plan; and*
 Applicable guiding values of the Master Plan include:

- Diversity is our strength: per the decision-making rubric. This maintains and potentially improves the diversity of the mix of businesses in Ypsilanti.
- Ypsilanti is sustainable: this action maintains, and has the potential to create, job opportunities for Ypsilantians.

- Great place to do business, especially green and creative: This action retains and fosters the growth of local businesses.

(2) The rezoning is consistent with description and purpose of the proposed district, and.

The amendment is an update only and does not materially change the existing zoning; it is consistent with existing zoning. No zoning districts will be modified other than the permission of certain uses, where applicable.

(3) The proposed amendment is consistent with the intent of this Zoning Ordinance; and

Per §122-100, the intent of the ordinance is to promote the public health, safety, and welfare.

In particular, to:

- create a safe, diverse, and sustainable city;
- guide the location of places of residence, recreation, industry, trade, service, and other uses of land;
- ensure that uses of the land shall be situated in appropriate locations and relationships;
- limit the inappropriate overcrowding of land and congestion of population and transportation systems and other public facilities;
 - facilitate adequate and efficient provision for transportation systems, sewage disposal, water, energy, education, recreation, and other public service and facility needs;"

The amendment is an update only and does not materially change the existing zoning; it is consistent with existing zoning.

(4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City; and

Staff anticipates that this amendment will enhance functionality of the City.

(5) The proposed amendment will preserve the historic nature of the surrounding area and of the City; and

Staff does not anticipate that this amendment will negatively or positively affect the historic nature of the City.

(6) The proposed amendment will enhance the natural features and environmental sustainability of the City; and

Staff does not anticipate that this amendment will negatively affect the natural features or environmental sustainability of the City.

(7) The proposed amendment will protect the health, safety, and general welfare of the public; or

Staff anticipates that this amendment will indeed do so by bringing the zoning code into closer alignment with state law.

(8) The proposed amendment is needed to correct an error or omission in the original text; or

This amendment does not correct an error.

(9) The proposed amendment will address a community need in physical or economic conditions or development practices; and

Staff does not anticipate that this change will significantly impact a community need in physical or economic conditions. This amendment better aligns with the desires of the City's residents per Proposal 1 of 2018.

- (10) *The proposed amendment will not result in the creation of significant nonconformities in the City.*
The proposed amendment will not result in nonconformities. No businesses were allowed to dispense, grow, or process, recreational marijuana prior to this ordinance.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend **approval** of the proposed text amendments to Chapter 122 Articles II, IV, and V, with the following findings:

- (1) The proposed amendment is consistent with the guiding values of the Master Plan;
- (2) The rezoning is consistent with description and purpose of the proposed district;
- (3) The proposed amendment is consistent with the intent of this Zoning Ordinance;
- (4) The proposed amendment will enhance the functionality, transportation network or character of the future development in the City;
- (5) The proposed amendment will preserve the historic nature of the surrounding area and of the City;
- (6) The proposed amendment will enhance the natural features and environmental sustainability of the City;
- (7) The proposed amendment will protect the health, safety, and general welfare of the public;
- (8) The proposed amendment will address a community need in physical or economic conditions or development practices;
- (9) The proposed amendment will not result in the creation of significant nonconformities in the City;
- (10) The proposed amendment is needed to align with recent changes in State law.

Andy Aamodt
City Planner, City of Ypsilanti

c.c. File



**2019 Annual Report
Planning Commission
Ypsilanti, Michigan**

INTRODUCTION

The Planning Commission of the City of Ypsilanti is governed by the Michigan Planning Enabling Act, State of Michigan Public Act 33 of 2008, and by the City of Ypsilanti's Zoning Ordinance.

In 2019, the Planning Commission's membership was as follows:

Matt Dunwoodie (chair)
Jared Talaga (vice-chair)
Heidi Jugenitz
Jessica Donnelly
Phil Hollifield

Michael Simmons
Mike Davis Jr. (joined September)
Jelani McGadney (resigned September)
Toi Dennis (resigned June)

Under the Planning Enabling Act, the Commission must provide an annual report to City Council, as the legislative body of the City. This report discusses,

1. The operations of the Commission during the past year
2. The status of any on-going planning activities
3. Recommendations to the legislative body related to planning and development

PLANNING COMMISSION OPERATIONS

The Planning Commission held regular monthly meetings during 2019.

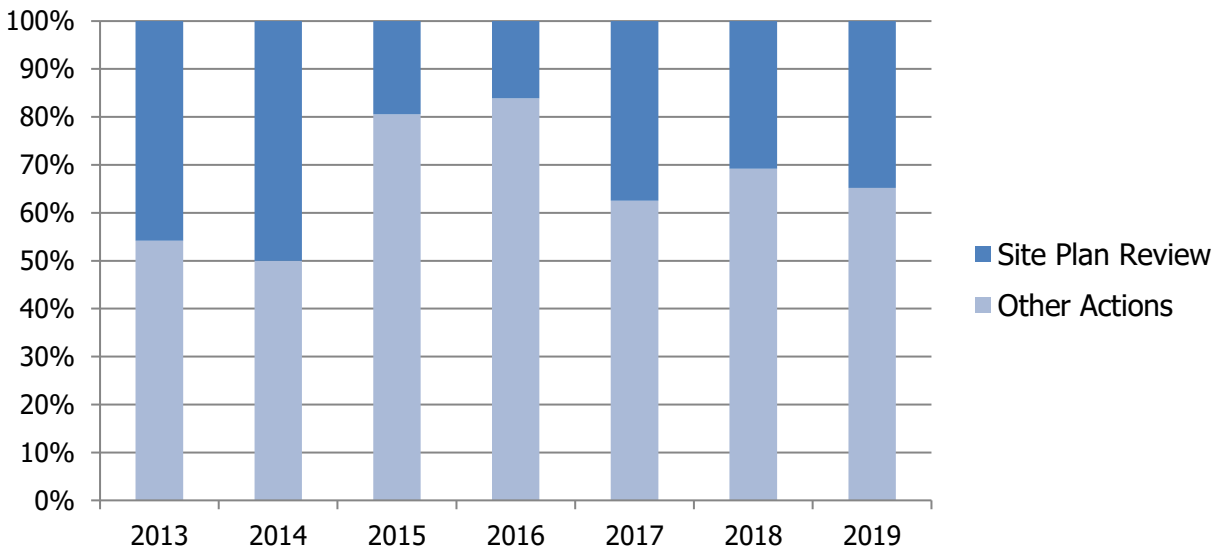
The Commission reviewed eight site plan review applications and 15 "other items" during 2019. While there were substantially more total items last year, the proportion of site plans versus other items remained consistent compared to previous years. "Other items" consisted of one site plan amendment, 5 special use permits, 4 zoning ordinance text amendments, 4 capital improvements reviews, and one conditional rezoning. The Planning Commission Housing Affordability and Access subcommittee and Non-motorized subcommittee continued to meet throughout 2019.

Included in this year's annual report is the implementation matrix from the 2013 Master Plan.

Figure 1: Planning Commission Applications by Type (past five years)

	2013	2014	2015	2016	2017	2018	2019
Site Plan Review	11	9	7	5	6	12	8
Approved Site Plan Amendment	--	1	--	--	2	1	1
Special Use Permit	5	2	6	5	1	11	5
Zoning Map Amendment	1	1	1	2	1	4	--
Zoning Text Amendment	--	1	2	5	1	8	4
Master plan amendment	1	--	--	--	--	--	--
Planned unit development	2	--	2	1	1	1	--
Amend approved PUD	--	--	--	--	--	--	--
Alley/Street closure/Vacation	1	2	--	2	--	--	--
Change in non-conforming use	--	--	--	1	--	--	--
Capital Improvements Reviews	1	2	3	3	1	1	4
Special topic planning (begins 2010)	2	--	--	--	3	1	--
Study item (begins 2010)	--	--	7	1	--	--	--
Conditional Rezoning	--	--	--	--	--	--	1
Modification of Sign Standards (begins 2012, ends 2016)	--	--	1	--	--	--	--
Special Use Revocation (begins 2015)	--	--	1	--	--	--	--
Designation of Special Nonconforming Status (begins 2015)	--	--	6	6	1	--	--
Total Applications / Deliberations	24	18	36	31	17	39	23

Figure 2: Planning Commission Actions by Year (percent)



Master Plan Implementation Matrix

These goals and their matrices are taken directly from the Master Plan, adopted Oct 2013.

Capital Improvements Plan = CIP; Zoning Ordinance = ZO

Key	Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
Center	C1	Building standards for centers that preserve the architecture	2014-2015	All Centers					Zoning Ordinance	Ordinance passed 2014	Completed
	C2	Allow renewable energy facilities on all buildings	2014-2015	All Centers					Zoning Ordinance	Ordinance passed 2014	Completed
	C3	Continue and expand the numbers, types of festivals and events	Ongoing	All Centers					Convention & Visitors Bureau (event attraction, destination marketing) Special Events policy (enabling)		Ongoing
	C4	Finish upper stories	Ongoing	All Centers					Zoning Ordinance (enable private investment) DDA (business & investment attraction)	Ordinance passed 2014 MEDC façade grant 2018	ZO complete DDA (ongoing efforts)
	C5	Maintain and expand transportation options	Ongoing	Downtown					Capital Improvements Plan Zoning Ordinance (require last-mile infrastructure)	Capital Improvements Plan adopted 2015 Zoning Ordinance passed 2014	Ongoing

Key	Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
C6	Draft a business attraction plan for Downtown, Depot Town and Cross St	2014-2019	All Centers						DDA	RRC Certification obtained 2015	Ongoing
C7	Encourage business and event activity during the day and evening	2014-2019	All Centers						Zoning Ordinance (encourage mix of uses) DDA (business development)	Ordinance passed 2014	Ongoing
C8	Create a marketing campaign for the City of Ypsilanti	1-5 Years	All Center						Convention & Visitors Bureau	Community Tourism Action Plan adopted 2014	Update CTAP – 2019
C9	Build curbless "festival" street on Washington	2014-2019	Downtown						Capital Improvements Plan	Capital Improvements Plan adopted 2015	CIP annual update/review
C10	Use vacant storefronts for temporary retail uses	2014-2019	Downtown						DDA (landlord outreach)	Ordinance passed 2014	Ongoing
C11	Permanent year-round home for Downtown Farmer's Market	1-5 Years	Downtown						Zoning Ordinance (enabling) DDA (attraction)	Downtown Farmers' Market established 2016	Completed
C12	Permanent year-round home for Depot Town Farmer's Market	1-5 Years	Depot Town						Zoning Ordinance (enabling) DDA (attraction)		Ongoing
C13	Install a wayfinding system	1-10 Years	All Centers						Convention & Visitor's Bureau	Complete, 2017	Completed

Key		Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
	C14	Increase walkability (2-way streets & raised intersections)	2014-2024	Downtown						MDOT coordination (20-year horizon) Capital Improvements Plan	Capital Improvements Plan adopted 2015	Capacity reduction planning 2019-2022
	C15	Curbless "festival" street on River and Cross Street	2014-2024	Depot Town						Capital Improvements Plan	Capital Improvements Plan adopted 2015	Funding
	C16	Create a public space at new train station	2014-2024	Depot Town						Capital Improvements Plan	Capital Improvements Plan adopted 2015 Proposed Amtrak Stop Feasibility Study completed 2018	Installation of a train station. Applied for CRISI (Consolidated Rail Infrastructure and Safety Improvements) grant.
	C17	Separate Cross and Washtenaw	2014-2024	Cross Street						Capital Improvements Plan	Capital Improvements Plan adopted 2015	Capacity reduction, 2-way conversion
	C18	Create a "front door" for EMU with reconfiguration of Cross and Washtenaw	2014-2024	Cross Street						MDOT coordination Capital Improvements Plan	Capital Improvements Plan adopted 2015	Capacity reduction, 2-way conversion
	N1	Continue and increase rental inspections and enforcement	Ongoing	All neighborhoods						Building Department		Ongoing

Key		Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
	N2	Assist continuation and expansion of EMU Live Ypsi program	Ongoing	All neighborhoods							Program continuing	Ongoing
	N3	Plan and zone for range of housing typologies for the needs of all ages and abilities	Ongoing	All neighborhoods						Zoning Ordinance	Ordinance passed 2014	Completed
	N4	Streamline multiple-family living arrangements into categories based on number of units and form, instead of use	2014-2015	All neighborhoods						Zoning Ordinance	Ordinance passed 2014	Completed
	N5	Continue home-based entrepreneurship	2014-2015	All neighborhoods						Zoning Ordinance (enable)	Complete	Completed
	N6	Regulate the form of buildings to preserve the character of neighborhoods	2014-2015	All neighborhoods						Zoning Ordinance	Complete	Completed
Neighborhoods	N7	Preserve the character of the area by using regulations on street type, building type as well as use	2014-2015	Central neighborhoods						Zoning Ordinance, Engineering Standards	Complete	Completed
	N8	Regulations of the variety of housing types, uses and lot sizes will be calibrated to the existing patterns	2014-2015	Central neighborhoods						Zoning Ordinance	Complete	Completed

Key		Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
	N9	Limit uses to predominantly single-family residential uses in areas with small houses, suited for only single-family use	2014-2015	Outlying neighborhoods						Zoning Ordinance	Complete	Completed
	N10	Create 'Eco-Districts' in neighborhood parks	2014-2024	All neighborhoods						Zoning Ordinance (enable); Parks Plan > Capital Improvements Plan (planning & Execution)		Ongoing
Corridor	Co1	Designate the appropriate building form for each corridor based on existing patterns and vision for that corridor	2014-2015	All corridors						Zoning Ordinance	Complete	Completed
	Co2	Retain the mix of uses within each corridor but allow them throughout the area	2014-2015	All corridors						Zoning Ordinance	Complete	Completed
	Co3	Reinforce the preservation of historic buildings	2014-2015	Historic corridors						Zoning Ordinance; Historic District ordinance	Complete	Ongoing
	Co4	Maintain River Street as a historic boulevard	2014-2015	Historic corridors						Zoning Ordinance, Capital Improvements Plan		Ongoing

Key		Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
	Co5	Require a pedestrian-friendly building form while allowing a mix of uses for both students and residents along Huron River Dr, LeForge & Railroad corridors	2014-2015	General corridors						Zoning Ordinance		Completed
	Co6	Coordinate regulations for Washtenaw with the County Re-Imagine Washtenaw Ave Plan	2014-2015	General corridors						Zoning Ordinance	Ongoing	Ongoing
	Co7	Restore Harriet St as the Main St of adjacent neighborhoods	2014-2015 for ZO / 2014-2024 years for street improvements	General corridors						Zoning Ordinance, Capital Improvements Plan	Ordinance passed 2014, ongoing	Ongoing
	Co8	Restore two-way function to Cross, Huron and Hamilton Streets	2014-2024	Historic corridors						MDOT Coordination Capital Improvements Plan	Capital Improvements Plan adopted 2015	Capacity/lane reduction project
District Areas	D1	Update regulations to create walkable areas at the border of the City and EMU campus	2014-2015	EMU						Zoning Ordinance	Complete	Completed
	D2	Create regulations that support the existing building form but assure access by all modes of transportation	2014-2015	Health & Human Services						Zoning Ordinance	Complete	Completed

Key	Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
D3	Allow renewable energy facilities, such as solar panels, on industrial land	2014-2015	Job Districts						Zoning Ordinance	Complete	Completed
D4	Reduce the minimum lot size and width in the industrial park to create more opportunity	2014-2015	Job Districts						Zoning Ordinance	Complete	Completed
D5	Align economic development incentives and programs to encourage emerging sectors that align with the Guiding Values and the employment potential of residents	1-5 years	All Districts							In Progress	Ongoing
D6	Create "Welcome to Ypsilanti" packages for new EMU students, including web version	1-5 years	EMU						Website & PDF Authorship?		Package creation
D7	Encourage use or redevelopment of unused parking lots	2014-2019	HHS & Job Districts						Zoning Ordinance (enable)	Complete	Completed
D8	Create a 'front door' for EMU in the area created by the reconfiguration of Cross and Washtenaw	2014-2024	EMU						MDOT coordination Capital Improvements Plan		Capacity reduction & conversion to 2-way

Key		Action	Timeframe	Location	Safety	Diversity	Equity	Enviro	Economy	Primary Mechanism	Completion or Benchmark Date	Next Steps
General	G1	Establish "Aging in Place" programs	2014-2019	All neighborhoods						Zoning Ordinance (enable), Capital Improvements Plan (accessibility)	Ordinance passed 2014, Capital Improvements Plan 2015	Ongoing

LOOKING FORWARD

At the end of 2019, these planning projects remain in progress.

- An update to the Master Plan is planned. 2020 goals include housing affordability and accessibility; traffic on Hamilton, Huron, and Washtenaw; the proposed train stop; Water Street; N. Park; 206-210 N. Washington; neighborhood updates for Bell-Kramer, and general implementation updates.
- Updates to the medical marijuana portion of the zoning ordinance, and adoption of recreational marijuana provisions, as needed to further align with the state regulations.
- The Planning Commission will continue to provide review of the annual Capital Improvements Plan prior to adoption by City Council, per state act.

ACTION

Staff recommends Planning Commission adopt this report and approve transmittal to City Council.

Ypsilanti Non-Motorized Advisory Committee Meeting Minutes

Thursday, November 7, 2019

1. Call to order - The meeting was called to order at 7:02pm, November 7, 2019 at the Ypsilanti District Library, 229 W. Michigan Avenue. Committee members attending were Helen Schulte, Lee Stimpson, Jared Walfish, Sarah Walsh, and Bob Krzewinski. Also attending the meeting was City Public Services Project Manager Bonnie Wessler.
2. Introductions - Audience participation - Public input – None
3. General business
 - a. Agenda approval - A motion was made to approve the agenda by Lee, seconded by Helen, passing unanimously.
 - b. Approval of October meeting minutes - A motion was made to approve the October minutes by Helen, seconded by Lee, passing unanimously.
 - c. Bylaws review - The Committee bylaws were reviewed with no conflicts or upcoming actions required.
 - d. Additional Committee member recruitment – The City Planning Commission did not meet in October so the confirmation of new Committee member Jenny Connolly will take place at the Commission's November 20th meeting. Bob will also place on the Committee's City web page, and on the Bike, Bus, Walk Ypsi web site (www.bbwypsi.org), the [Committee Member Duties and General Information sheet](#) for individuals interested in serving on the Committee.
4. Old & continuing business
 - a. 2019 Committee priorities
 1. City Non-Motorized Plan – Complete update – Jared Talaga indicated he could not attend the meeting tonight but texted that he is nearly done with the update and will meet with Bonnie to finalize map data. Bob will request a draft copy to start text final editing.
 2. Sidewalk curb cut inventory & improvements
 - Top 10" list of curb cut needs and improvements – City controlled streets – Bob will send Committee members the data received from a social media request for curb cut deficiencies.
 - Site visits - Downtown, Depot Town, West Cross Street (Huron to water tower), Senior Center/Pool, Parkridge Center area – Bob will send out a request for volunteers to conduct site visits and record deficiencies.
 3. Pedestrian Improvements – Signage, road markings, permanent radar speed signs at select locations, traffic calming
 - Mid-block pedestrian crossing signage of the Border To Border Trail on Cornell – New pedestrian/bike crossing signs were installed on Cornell but northbound traffic cannot see the sign easily due to vegetation growth on the east side of Cornell north of Collegewood. Bonnie will contact City Public Services about clearing the vegetation.
 - Permanent radar speed sign locations – Request went out on social media for suggested locations. Bob will forward collected data to Committee members.
 4. Bike Lanes – West Cross Street, repainting – West Cross Street is still on track for a 2021 reconstruction west of Wallace with traffic calming measures and bike lanes planned.

5. Communication – Meeting invitations (City Council, Mayor, etc.), quarterly Non-Motorized Committee newsletter – Winter Committee newsletter will be out in December 2019. Public Services Department Director to be invited to a future meeting.
6. Non-Motorized City budget – Amount of funds for non-motorized projects, Committee involvement in disbursement decisions – Committee will forward 2020 priorities to the Planning Commission, including budget requests (i.e. funding for permanent radar speed control signs), after approval of priorities at it's December meeting.
7. Neighborhood Connectors (formerly "Bike Boulevards") potential projects – Discussed.
8. Border To Border Trail gap completion & improvements – Discussed.
9. Walk Friendly Community application / Bike Friendly Community reapplication for 2021 – Walk Friendly application will be submitted after Non-Motorized Plan update approved. Bike Friendly award expires in November 2021. Renewal application needs to be turned in either February or August of 2021.
10. Sidewalk/Curb Cut vegetation (summer) snow removal (winter) promotion – Bob will send out social media item on sidewalk snow removal to all neighborhood groups after first snowfall of 2" or more.
11. Events – Downtown Halloween Festival (Very well received Committee table on 10/25 where wrist-lights, courtesy of AAATA, were given away), B2B night walk (Planned for a night prior to Halloween), Cold weather cycling talks – December 7 (downtown Library) and December 8 (Sunday Corner Brewery) – Bike Ypsi Holiday Lights ride on 12/17.
12. Dockless bicycle/scooter policy by City – City adopted ordinance in early 2019).

b. Parkridge bike repair station – City applying for grant.

c. Pedestrian Crossing Legislation – Michigan HB 4738 (Representative Ronnie Peterson) – Discussed.

5. New Business

a. Planning Department update – A public input meeting is planned soon for 2022 Huron/Hamilton/Washtenaw non-motorized projects.

b. 2020 Committee priorities – The Committee reviewed a draft 2020 priority list with recommended changes/additions/deletions given. Bob will revise the list and send it to the Committee for final approval at the Committee's December 6th meeting.

c. Other

- The City Council will hold a special meeting on road projects in the coming years at City Hall, 7pm on December 10th.
- The City Planning Commission will hold public input during their November 20th meeting on the West Cross road project (reference 4.a.4 in these minutes) and Border To Border Trail construction planned for 2020-21 in Frog Island and Grove Road.
- January Committee meeting – The January Non-Motorized Advisory Committee meeting will be held on the 2nd Thursday of January so not to conflict with the New Year's holiday period.

6. Other Items – Announcements – Next meeting – December 5th

7. Adjournment - A motion was made by Helen, seconded by Sarah, to adjourn the meeting. The motion was approved unanimously, and the meeting was adjourned at 8:20pm.