

DATE: October 19, 2022

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments for the Regular Council Meeting of Monday, October 24, 2022

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, October 24, 2022.

ORDINANCES

ORDINANCE 2188 - ZONING TEXT AMENDMENT ZTA 22-02 – CAREGIVER MARIHUANA GROW OVERLAY DISTRICT AMENDMENT – SECOND READING

Ordinance 2188 is a zoning text amendment to limit primary caregiver marihuana grow operations to properties that are zoned M-1, Light Industrial, or M-2, Heavy Industrial, and located at a parcel identified within the Caregiver Marihuana Grow Overlay District.

The existing Caregiver Overlay District allows for the establishment of individual registered marihuana caregivers on parcels identified within the associated Overlay District map. While the boundaries of the Caregiver Overlay District were intended to mirror that of the Allowed Parcels Map, the Overlay District map is technically a stand-alone map with separate zoning regulations. Therefore, to ensure that marihuana primary caregivers only operate on properties with industrial zoning designations and to provide consistency between all three marihuana ordinances, the staff recommends the attached minor zoning text amendment.

The proposed text amendment states that registered primary caregivers shall be located within an M-1 or M-2 Industrial District and shall be located at a parcel identified within the Caregiver Marihuana Grow Overlay District. At their September 20th, 2022 meeting, the Planning Commission recommended approval of the proposed text amendment, as written.

Therefore, the staff recommends that City Council adopt Ordinance #2188 (ZTA # 22-02) upon the second reading.

ORDINANCE 2189 - STORMWATER ORDINANCE UPDATE – SECOND READING

The City of Madison Heights is required to implement a post-construction stormwater management program that meets the Municipal Separate Storm Sewer System (MS4) permit requirements as provided by the Michigan Department of Environment, Great Lakes and Energy (EGLE). EGLE requires that the City of Madison Heights adopts an ordinance or other suitable regulatory mechanisms, or develop design standards to control

stormwater following construction activities and ensure long-term maintenance of stormwater controls.

Therefore, Staff and I recommend City Council approve Ordinance 2189 on second reading.