

City of Lathrup Village  
27400 Southfield Road  
Lathrup Village, MI 48076  
248.557.2600  
[www.lathrupvillage.org](http://www.lathrupvillage.org)

CITY OF LATHRUP VILLAGE  
**SPECIAL JOINT MEETING AGENDA**  
City Council and Planning Commission  
Monday, February 8, 2021  
6:00 p.m. – **HELD REMOTELY**

*In accordance with Emergency Orders issued by the Michigan Department of Health and Human Services, Oakland County, local officials, and State of Michigan legislation, which allows for electronic meetings of public bodies, notice is hereby given that the City of Lathrup's Planning Commission and City Council are meeting electronically using [www.Zoom.US](http://www.Zoom.US) for videoconference and public access.*

*(in accordance with PA 254 of 2020, the members should identify their physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely).*

- 1. Call to order** - Lathrup Village Planning Commission - Chair Piotrowski
  - 2. Roll Call – Planning Commission**
  - 3. Approval of Agenda**
  - 4. Public Hearing – Primary Caregiver Overlay District Ordinance**
  - 5. New Business**
    - a. Primary Caregiver Overlay District**  
*Planning Commission action needed: Forward to City Council with recommendation to approve/deny Primary Caregiver Overlay District*
  - 6. Public Comment**
  - 7. Adjournment – Planning Commission**
- 

- 1. Call to order** - Lathrup Village City Council - Mayor Kelly Garrett
  - 2. Roll Call – City Council**
  - 3. Approval of Agenda**
  - 4. New Business**
    - a. Primary Caregiver Overlay District**  
*City Council action needed: Adopt/Deny Primary Caregiver Overlay District as an emergency zoning ordinance amendment to be effective immediately.*
    - b. Schedule a Public Hearing for CDBG Program Year 2021-2022 on February 22, 2021**
  - 5. Public Comment**
  - 6. Adjournment – City Council**
- 

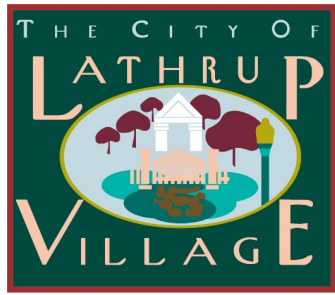
**ZOOM login**

<https://zoom.us/j/95384445752?pwd=MHNLDkYycG1iWnhBMVdMekgwTlhiQT09>

Telephone: +1 312 626 6799 or +1 646 558 8656

Webinar ID: 953 8444 5752

Passcode: 985544



A HERITAGE OF GOOD LIVING

## NOTICE OF ELECTRONIC PUBLIC MEETING

Due to the Emergency orders issued by the Michigan Department of Health and Human Services, Oakland County, and local officials and in accordance with Senate Bill 1108, which allows for electronic meetings of public bodies, notice is hereby given that **the City of Lathrup Village City Council and Planning Commission** will be meeting electronically on **Monday, February 8, 2021 at 6:00pm**, using Zoom for videoconference and public access.

This meeting is a special meeting.

The electronic public meeting will be held as a Zoom webinar. The public can participate via the Zoom application, internet and/or telephone. The public will be able to listen to all discussion by Board members and will be permitted to speak for up to 3 minutes during the public comment section of the agenda.

Please note that callers/viewers will automatically be muted. Public comments can be submitted via the Chat Room or during Public Comment, when viewers are unmuted on an individual basis. Comments may also be emailed in by 4pm of the date of the meeting to: [cityclerk@lathrupvillage.org](mailto:cityclerk@lathrupvillage.org).

### Zoom Webinar Login:

Special Joint Meeting - City Council and Planning Commission

<https://zoom.us/j/95384445752?pwd=MHNLdkYycG1iWnhBMVdMekgwTlhiQT09>

Telephone: +1 312 626 6799 or +1 646 558 8656

Webinar ID: 953 8444 5752

Passcode: 985544

# memorandum

**DATE:** February 3, 2021  
**TO:** Susie Stec, Community Development Manager  
**FROM:** Jill Bahm, Giffels Webster  
**SUBJECT:** Cannabis: Amendments to Regulations for Primary Caregivers

---

## Recent Action

- **January 19, 2021 Planning Commission Meeting.** The Planning Commission discussed the first draft of the ordinance and suggested additional refinement to the sections on Odor (Section 4.G) and Nuisances (New Section 4.N). These modifications appear in red in the attached revised ordinance. The Planning Commission made a motion to hold a public hearing on the amendment with the changes proposed.
- **February 1, 2021 City Council Study Session.** City Council had an opportunity to review the proposed ordinance language and identified a charter school on the north side of 12 Mile Road that did not appear on the buffer map. This raised some concerns about limiting the available parcels. Since the primary caregiver uses are not retail or customer-oriented, the standards are intended to retain an office appearance for the facilities, and the office district is contained to one geographic area, we recommend removing the buffer requirements for primary caregiver uses only.
- **A public hearing is set for February 8, 2021.**

## Draft Language

Please see the attached amending ordinance. In reviewing the draft language, please keep the following considerations in mind:

1. Primary caregivers are only licensed to provide cannabis to five individuals and is therefore a relatively low intensity in terms of traffic and parking. In this sense, it is similar to, and compatible with, office uses. The city's office district is primarily along 12 Mile Road, a major thoroughfare, with limited cut-through access into the city's residential neighborhoods. Given the limited geography of the office district and similarities between parcels in this district, we recommend these uses be permitted by right, rather than as special land uses.
2. There are sufficient parcels in this district to provide opportunities for primary caregiver uses.
3. In the future, the City could explore whether other parcels would be well-suited to this use and create an overlay to the zoning map that would permit the use in targeted locations.
4. As part of the City's overall cannabis provisions, this amendment requires that a future caregiver facility locate only in non-residential areas. This would make all legally established existing primary caregiver operations non-conforming.

The remainder of the memo that follows includes that background as well as a summary of the proposed draft ordinance language and discussion questions.

## Introduction

As the City explores regulations for cannabis licensed by the state of Michigan, it has come to our attention that provisions for licensed caregivers should also be considered. Currently, the ordinance is silent on licensed caregivers, with the City intending, as many other municipalities in Michigan have, that licensed caregivers are considered home occupations while not effectively permitting activities that are illegal at the federal level.

## Current Language

The Zoning Ordinance currently does not regulate registered primary caregivers, but, consistent with the MMMA, effectively permits them as home occupations.

## Background on Issue

On April 27, 2020, in *DeRuiter v. Township of Byron*, the Michigan Supreme Court ruled that the MMMA did not nullify a municipality's inherent authority to regulate land use under the Michigan Zoning Enabling Act (MZEa) as long as: (1) the municipality does not prohibit or penalize the cultivation of medical marijuana; and (2) the municipality does not impose regulations that are unreasonable and inconsistent with regulations established by state law.

This is an important law update for any community dealing with primary caregivers. As the MMMA is silent on zoning implications, most communities until now have understandably not pursued any significant land use restrictions on primary caregivers. This has left little in the way of these operations, which may have up to 12 plants per patient and up to six patients (5 patients, including the caregiver), from locating in the middle of a residential subdivision with no local zoning consideration. This no longer has to be the case if desired.

## Potential impacts and considerations

Primary caregivers may serve up to six patients (five other registered patients and themselves), growing up to 12 plants per patient. Therefore, operations involve the cultivation of up to 72 plants. Indoor cultivation of cannabis plants requires large quantities of water and electricity. Growers frequently upgrade electrical service at the location of their operations, and demand on the grid can be significant, as grow lights run 24 hours a day. The City has the opportunity to consider the impacts of such uses on residential neighborhoods and individual residential properties.

ORDINANCE NO. \_\_\_\_  
CITY OF LATHRUP VILLAGE  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE CITY OF LATHRUP VILLAGE ZONING ORDINANCE

ARTICLE 2, TO ADD DEFINITIONS FOR CANNABIS FACILITIES, ARTICLE 3, TO ADD LICENSED PRIMARY  
CAREGIVER FACILITIES AS PERMITTED USES, AND TO ARTICLE 4, TO ADD SPECIFIC STANDARDS FOR  
LICENSED CAREGIVERS.

THE CITY COUNCIL OF THE CITY OF LATHRUP VILLAGE ORDAINS:

**PART I. DEFINITIONS.**

**Amend Section 2.2 – Definitions, to add the following definitions:**

**Cannabis facilities.** Cannabis facilities mean “marihuana facilities” as defined by the State of Michigan. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Cannabis, also known as marihuana and marijuana.** The same definition of marihuana in this ordinance and in the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26421, et seq. (“MMMA”).

**Caregiver facility.** A facility where a "primary caregiver" who is legally registered by the Michigan Marijuana Regulatory Agency may lawfully assist up to five qualifying patients" who are also legally registered by the department with the acquisition of medical marijuana (cannabis) in accordance with the Michigan Medical Marijuana Act of 2008

**Medical use, Cannabis.** The acquisition, possession, cultivation, manufacture, extraction, use, internal possession, delivery, transfer, or transportation of cannabis, cannabis-infused products, or paraphernalia relating to the administration of cannabis to treat or alleviate a registered qualifying patient’s debilitating medical condition or symptoms associated with the debilitating medical condition.

**Primary caregiver.** A person who is at least 21 years old and who has agreed to assist with a qualifying patient’s medical use of cannabis and who has not been convicted of any felony within the past 10 years and has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in section 9a of chapter X of the code of criminal procedure, 1927 PA 175, MCL 770.9a.

**Qualifying patient.** A person who has obtained a valid registration card from the Michigan Marijuana Regulatory Agency allowing them to possess and purchase medical marijuana.

**PART 2. AMEND ARTICLE 3 TO ALLOW PRIMARY CAREGIVER FACILITIES AS PERMITTED USES AS  
FOLLOWS BY ADDING ITEM 3.1.6.B.XI AND RENUMBERING AS NEEDED:**

**Section 3.1.6.B**

- i. Professional and administrative offices
- ii. Veterinary clinics
- iii. Personal services
- iv. Child care centers

- v. Instruction centers for academic and fine arts purposes
- vi. Publicly owned and operated parks and parkways
- vii. Business service uses
- viii. Civic uses, except those with outdoor storage of vehicles and materials
- ix. Mortuaries & funeral homes
- x. Banks and other financial institutions
- xi. Primary Caregiver facility**
- xii. Accessory buildings and uses customarily incidental to any of the above permitted uses
- xiii. Uses similar to any principal permitted use, as determined by the Planning Commission

### **PART 3. AMEND ARTICLE 4 TO ADD A NEW SECTION 4.17 AS FOLLOWS:**

#### **Section 4.17 PRIMARY CAREGIVER FACILITIES**

##### **1. Findings, Purpose and Intent.**

The Michigan Medical Marihuana Act (MMMA), Initiated Law 1 of 2008, MCL 333.26421 et. seq., as amended, does not nullify a municipality's inherent authority to regulate land use under the Michigan Zoning Enabling Act (MZEA), MCL 125.3101 et seq. as long as (1) the municipality does not prohibit or penalize the cultivation of medical cannabis (marihuana) and (2) the municipality does not impose regulations that are unreasonable and inconsistent with regulations established by state law.

MCL 333.26424(b)(2) states that primary caregivers and qualifying patients must keep their plants in an enclosed, locked facility in order for those individuals to be entitled to the MMMA protections in MCL 333.26424(a) and (b). Because an enclosed, locked facility may be found in various locations on various types of property, this ordinance, limiting where a primary caregiver can cultivate medical marihuana within the City, does not conflict with the MMMA's requirement that cannabis plants be kept in an enclosed, locked facility.

The City finds that the average residence in the City is not aptly suited to the safe and favorable cultivation of 72 cannabis plants that a primary caregiver is permitted to grow under the MMMA. The City further finds that the cultivation of 72 cannabis plants by primary caregivers in residential districts creates potential hazards and potential adverse and detrimental effects on the neighboring properties that endanger the public health, safety and welfare. The purpose and intent of this ordinance is to identify suitable locations for primary caregivers to cultivate medical cannabis, in compliance with the MMMA and this Article and to protect the public health, safety and welfare by mitigating the potential adverse and detrimental effects of such cultivation on neighboring properties.

##### **2. Ordinance has no effect on patient use.**

This ordinance does not apply to or regulate any qualifying MMMA patient activities or conduct that is in compliance with the MMMA. A qualifying patient, operating in compliance with the MMMA, shall be permitted to cultivate, at the primary residence of the patient, who shall also be a fulltime resident of the dwelling, no more than the 12 allowed cannabis plants as permitted by the MMMA for the patient's personal use to treat their debilitating medical condition. The possession, smoking or ingestion of medical cannabis by a qualifying patient who has been issued and possesses a valid registry identification card under the Michigan Medical Marihuana Act (being PA 2008, Initiated Law, at MCL 333.26421, et seq.) in any zoning district shall not be considered a use of land regulated under this Chapter.

### 3. No defenses against criminal prosecution.

Nothing in this ordinance is intended to grant, nor shall anything in this Ordinance be construed as granting, immunity from or affirmative defenses against criminal or other prosecution under state laws or local ordinances, including without limitation this Ordinance, for growing, sale, consumption, use, distribution, or possession of cannabis not in strict compliance with the MMMA and the Administrative Rules of the Michigan Department of Licensing and Regulatory Affairs (LARA). Also, since federal law is not affected by the MMMA or LARA's Administrative Rules, nothing in this Ordinance is intended to grant, nor shall anything in this Ordinance be construed as granting, immunity from or an affirmative defense against criminal prosecution under federal law. Moreover, nothing in this Ordinance shall be construed or interpreted as endorsing, aiding, or abetting violations of federal or state laws.

The MMMA and this zoning ordinance do not protect users, caregivers or the owners of properties on which the medical use, growing, possession or handling of cannabis occurs from federal prosecution, or from having property seized by federal or state authorities under the federal Controlled Substances Act or other federal laws. The use, possession and growing of cannabis remains illegal; however, consistent with the MMMA and rulings of the Michigan Supreme Court, this Section of the Ordinance designates the specific districts of the City in which medical cannabis Primary Caregivers may assist one or more medical cannabis patients in the specific and limited circumstances and under the conditions set forth in this Section.

### 4. **Standards.** The following regulations shall apply to all primary caregiver facilities:

- A. **Applicability.** Where permitted, no building or land shall be used and no buildings shall be erected except for primary caregiver facilities or one or more of the principal permitted uses, special approval uses, or accessory structures and uses permitted in the underlying zoning district, in accordance with the height, area, and bulk regulations provided therein, except as otherwise provided in this Section. Primary caregiver facilities shall only operate on a zoning lot located within the Office District and, if so located, shall be a permitted use. Site plan approval by the Planning Commission is required prior to commencing any new primary caregiver use, per Section 6.1.
- B. **Compliance with state laws and rules.** The medical use of cannabis and the amount of cannabis and cannabis plants in the possession of the primary caregiver on the premises shall comply at all times and in all circumstances with the MMMA and the Administrative Rules of LARA, as they may be amended from time to time.
- C. **Minimum floor area.** There shall be a minimum of 750 sf of floor area per primary caregiver facility and a maximum of three primary caregiver facilities per building, provided that each individual operation is conducted wholly on the same floor. If more than one primary caregiver facility is located within a single building, each enclosed locked facility for cannabis must be identified on a floor plan that is approved by the City as part of a site plan. Each individual enclosed locked facility shall receive a certificate of zoning compliance before the presence of cannabis is allowed.
- D. **Secure facilities.** All medical cannabis shall be contained within the main building in an enclosed, locked facility inaccessible on all sides, including top and bottom, and equipped with locks or other security devices that permit access only by the registered primary caregiver or qualifying patient. Enclosed, locked facility includes a motor vehicle if both of the following conditions are met:

- i. The vehicle is actively being used temporarily to transport cannabis from one location to another with the intent to permanently retain cannabis at the second location in compliance with the MMMA and this ordinance.
  - ii. An individual is not inside the vehicle unless he or she is either the registered qualifying patient to whom the cannabis belongs, or is the individual designated as the primary caregiver for the registered qualifying patient.
- E. **Appearance.**
  - i. The structure shall be designed and maintained in a manner consistent with other permitted uses in the zoning district within which it is located.
  - ii. Grow lights, plants, growing and processing areas and related products and operational areas shall not be visible from any property line. If exterior windows are located in these areas, they shall be frosted, screened or otherwise modified to the satisfaction of the Planning Commission so that the use, as described above, is not visible from any property line.
  - iii. Bars or similar security features are prohibited, unless the Planning Commission finds that the design of the security feature(s) is in keeping with the spirit and intent of the ordinance.
  - iv. Outdoor storage is prohibited.
- F. **Odor.** All primary caregiver facilities shall include odor control methods that follow industry best practices for removal of odor so that odor from the operation is not discernable outside of the primary caregiver facility. Such methods shall be subject to approval of the Planning Commission, including but not limited to activated carbon filters/scrubbers, internal exhaust fans, odor neutralizers, and air purifiers, to be included as part the approval process. Ozone generators shall not be permitted as an odor neutralization method, unless such generator is not audible outside the primary caregiver facility.
- G. **Distribution on site prohibited.** Distribution of cannabis or use of items in the administration of cannabis shall not occur at or on the parcel where medical cannabis is cultivated. A qualifying patient shall not visit, come to, or be present at the parcel where medical cannabis is cultivated to purchase, smoke, consume, obtain or receive possession of any cannabis.
- H. **Use or consumption on site prohibited.** Use or consumption in any manner of cannabis or any illegal controlled substance is not permitted by a qualified patient on the premises of any primary caregiver facility.
- I. **Alcohol prohibited on site.** No alcoholic beverage shall be sold, conveyed or consumed on the premises of any primary caregiver facility, nor shall any person be present on the premises of a primary caregiver facility while intoxicated and/or under the influence of alcohol or any controlled substance.
- J. **Signage.** No sign identifying the location by word, image or otherwise, or indicating that the cultivation of medical cannabis is taking place on the premises, shall be permitted. No vehicle having such a sign shall be parked anywhere on the premises.
- K. **Permits required.** All required building, electrical, plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of cannabis are located, and for any



improvements to the structure relating to the use. Discharge of toxic, flammable or hazardous materials into city sewer or storm drains is prohibited.

- L. **Inspection.** The entire parcel and all enclosed, locked facilities shall be available for inspection upon request by the zoning administrator, building official, fire official or law enforcement official during reasonable business hours.
- M. **Nuisances.** No caregiver facility shall be operated in a manner that creates noise, dust, vibration, glare, fumes, pests, mold, mildew or odors detectable to normal senses beyond the boundaries of the property on which the facility is operated. Interior construction, design and use of a caregiver facility will not impede the current and future use of a building for other uses as permitted in the assigned zone district.
- N. **Zoning review application requirements.** Zoning applications for primary caregiver facilities shall be submitted as required in Section 6.1. In addition, the following information is also required:
  - A. As provided in Section 6.1, site plan review shall be required. A site plan shall show the proposed building(s) to be used, remodeled or reconstructed, along with the parking, landscaping and lighting plans. Existing and proposed building elevations shall be provided, including building materials, window glazing calculations, descriptions of glass to be used, and other pertinent information that describes building construction or structural alterations.
  - B. A plan for general waste disposal, chemical disposal and plant waste disposal.
  - C. A notarized statement by the property owner that acknowledges use of the property for a cannabis facility and agreement to indemnify, defend and hold harmless the City, its officers, elected officials, employees, and insurers, against all liability, claims or demands arising out of, or in connection to, the operation of a cannabis facility. Written consent shall also include approval of the owner and operator for the City to inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations.
  - D. A copy of the current primary caregiver license as issued by the state of Michigan.
  - F. Operations and Management Plan. An operations and management plan shall be submitted. The plan should describe security measures in the facility; this may include the movement of the product, methods of storage, cash handling, etc.
  - G. All permitted facilities shall be bonded to guarantee that all accounting and taxes are paid in full according to the law and that the operation or facility performs in accordance with all government standards

**PART 4. AMEND SECTION 5.13 AS FOLLOWS TO PROVIDE PARKING STANDARDS FOR CANNABIS FACILITIES:**

**Section 5.13.13. Minimum numbers of parking spaces required.**

**C. Business & Commercial**

- i. Professional and administrative offices, **including primary caregiver facilities:** One (1) per 275 sq ft of gross leasable area

**PART 5. SAVINGS CLAUSE.**

The amendments referenced herein do not affect or impair any act done, offense committed, or right accruing or acquired, or liability, penalty or forfeiture or punishment pending or incurred prior to the effective date of this amendment.

**PART 6. SEVERABILITY.**

This Ordinance and its various parts, sentences, paragraph, sections, clauses and rules promulgated hereunder are hereby declared to be severable. If any part, sentence, paragraph, section, clause, or rule promulgated hereunder is adjudged to be unconstitutional or invalid for any reason, such holdings shall not affect the remaining portions of this Ordinance.

**PART 7. REPEALER.**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**PART 8. EFFECTIVE DATE; PUBLICATION.**

This Ordinance shall become effective after publication of a brief notice in the newspaper circulated in the City, stating that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk, and such other facts as the City Clerk shall deem pertinent.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL, CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN THIS \_\_\_\_ day of \_\_\_\_, 2021

\_\_\_\_\_  
Yvette Talley, City Clerk

Date of Introduction:

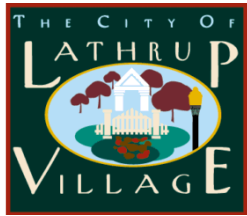
Date of Adoption:

Date of Publication of Notice of Adoption:

**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing is a true and complete copy of the ordinance passed at a meeting of the City of Lathrup Village held on the \_\_\_\_ day of \_\_\_\_, 2021

\_\_\_\_\_  
Yvette Talley, City Clerk



A HERITAGE OF GOOD LIVING

**Dr. Sheryl L. Mitchell Theriot**

**City Administrator**

City of Lathrup Village

27400 Southfield Road | Lathrup Village, MI 48076

smitchell@lathrupvillage.org

Office: 248.557.2600 x 225 | Cell: 248.520.0620

## **COUNCIL COMMUNICATION:**

**TO:** Mayor Garrett and City Council Members  
**FR:** Sheryl Mitchell Theriot, City Administrator  
**DA:** February 8, 2021  
**RE:** **CANNABIS – PRIMARY CAREGIVER ORDINANCE AMENDMENT**

The Planning Commission has scheduled a Public Hearing and Joint Meeting with City Council on February 8, 2021 at 6:00pm for the Primary Caregiver Zoning Ordinance Amendment.

The current Zoning Ordinance does not regulate registered primary caregivers. According to the Michigan Medicinal Marijuana Act (MMMA). A supreme court case, *DeRuiter v Township of Byron (2020)*, ruled that municipalities have the authority to regulate land use, as long as:

- (1) The municipality does not prohibit or penalize the cultivation of medical marijuana; and
- (2) The municipality does not impose regulations that are unreasonable and inconsistent with regulations established by state law.

Without the proposed amendment in the Zoning Ordinance, the MMMA effectively permits registered primary caregivers as home occupations.

Primary caregivers may serve up to 6 patients (5 registered patients and themselves) – growing up to 12 plants per patient (total of up to 72 plants).

The Amendment to the Zoning Ordinance proposes:

- **State** registration - Primary caregivers and qualifying patients are legally registered by the Michigan Marijuana Regulatory Agency
- **Non-Residential** - Requires that any future caregiver operations are located in non-residential areas
- **Office District** - Allows caregiver operations to the Office District – primarily along 12 Mile Rd - as a permitted use.
- **Separation from Uses** - Provides for 1,000-foot radius from schools, government/nonprofit facilities, public parks, licensed substance use disorder programs facilities, and temporary emergency shelters.
- **Minimum Floor Space** – of 750 sq.ft. per primary caregiver and maximum of 3 primary caregivers per building, with each operation located on the same floor.
- **Secure Facilities** – all medical cannabis shall be contained within the main building in an enclosed, locked facility. A closed locked facility includes a motor vehicle under specific conditions.
- **Odor** – requires odor control methods that follow industry best practices and so that the odor from the operations are not discernable outside of the caregiver facility.
- **Distribution on site prohibited** – patient shall not be present at the parcel where the medical cannabis is cultivated to purchase, smoke, consume, obtain or received possession of any cannabis
- **Permits are required** – building, electrical, plumbing and mechanical permits are required.
- **Inspection** – entire parcel and enclosed, locked facility shall be available for inspection upon request by zoning administrator, building official, fire official or law enforcement official during reasonable business hours.
- **Zoning Review Requirements** - include site plan, plans for waste/chemical/plant disposal; statement from property owner acknowledging the use, indemnifying the City, and approving city inspections.

**SUGGESTED MOTION by City Council:**

To Approve/Deny An Ordinance To Amend The City Of  
Lathrup Village Zoning Ordinance Article 2,

To Add Definitions For Cannabis Facilities, Article 3,

To Add Licensed Primary Caregiver Facilities As Permitted  
Uses,

And To Article 4, To Add Specific Standards For Licensed  
Caregivers,

Effective Upon Publication

**AFFIDAVIT OF PUBLICATION**

2125 Butterfield Dr, Suite 102N • Troy MI 48084

**LATHRUP VILLAGE, CITY OF  
27400 SOUTHFIELD RD.**

**LATHRUP VILLAGE,, MI 48076  
Attention: Yvette Talley**

**STATE OF MICHIGAN,  
COUNTY OF OAKLAND**

The undersigned Gandy Slater Gandy Slater, being duly sworn the he/she is the principal clerk of Oakland Press, theoaklandpress.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

**LATHRUP VILLAGE, CITY OF**

**Published in the following edition(s):**

Oakland Press	01/22/21
theoaklandpress.com	01/22/21

VICKI ARSENAULT  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF OAKLAND  
My Commission Expires May 11, 2026  
Acting in the County of \_\_\_\_\_

Sworn to the subscribed before me this 23 Jan, 2021

Vicki Arsenault  
Notary Public, State of Michigan  
Acting in Oakland County

**Advertisement Information**

**Client Id:** 546554

**Ad Id:** 2119218

**PO:**

**Sales Person:** 200309

**CITY OF LATHRUP VILLAGE  
NOTICE OF PUBLIC HEARING  
(ZONING ORDINANCE TEXT AMENDMENT)**

Please take notice that the City of Lathrup Village Planning Commission will hold a public hearing on Monday, the 8th day of February, 2021 at 6:00 p.m. via zoom <https://zoom.us/j/95384445752?pwd=MHNldkYycG1lWnhBMVdMekgwTlhiQT09> and record public comments concerning proposed amendments to the City of Lathrup Village Zoning Ordinance. The proposed amendments are identified below:

Amend Article 2, Section 2.2 of the Zoning Code to add definitions for cannabis facilities.

Amend Article 3, Section 3.1.6.B of the Zoning Code to allow primary caregivers as permitted uses.

Amend Article 4 of the Zoning Code by adding Section 4.17 to add specific standards for licensed caregivers.

Any member of the public may express their view on this proposed text amendment in writing, by submitting your written comments to the City Clerk prior to 4:30 p.m. on the date of the hearing, or you may appear in person at the remote Zoom meeting to express your opinion. Any written communications may be sent to the City Clerk via email at [cityclerk@lathrupvillage.org](mailto:cityclerk@lathrupvillage.org) or mail to Lathrup Village City Hall at 27400 Southfield Road, Lathrup Village, Michigan 48076 prior to the hearing. After the public hearing, the Planning Commission may make a recommendation to the City Council on whether the text amendment should be adopted or not.

Yvette Talley

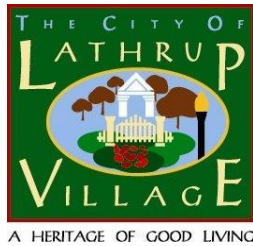
City Clerk

27400 Southfield Road

Lathrup Village, MI 48076

(248) 557-2600

Zoom Login Information  
<https://zoom.us/j/95384445752?pwd=MHNldkYycG1lWnhBMVdMekgwTlhiQT09>  
Webinar ID: 953 8444 5752  
Passcode: 985544  
Telephone: +1 312 626 6799 or +1 646 558 8656



## **Action Request**

### **COUNCIL COMMUNICATION:**

TO: Mayor Garrett and City Council Members  
FROM: Dr. Sheryl Mitchell Theriot, City Administrator  
DATE: February 8, 2021  
RE: PUBLIC HEARING FOR 2021 CDBG PROGRAM

The City of Lathrup Village is processing the following allocation of its funds from the Community Development Block Grant Program. In order to satisfy all requirements of the application by March 5, 2021 the City must hold a public hearing for input on the proposed program.

### **Program Year 2021**

**City Allotment:** \$7,000  
**Proposed Use:** \$7,000  
**Reasoning:** Entire allotment for our Senior Service Programs  
With these funds we can continue to expand our Senior Programs for Nutrition, education, and exercise.

### **Suggested Motion:**

To schedule the 2021 Community Development Block Grant (CDBG) Public Hearing for February 22, 2021 at 7:00pm.