



Wexford Joint Planning Commission

c/o Cherry Grove Township

4830 E. M-55

Cadillac, Michigan 49601-9332

(231)775-1138x6

planningandzoning@wexfordjpc.org | www.wexfordjpc.org

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Staff Report

Planning and Zoning: [*Action Item*]

The ZA and Assistant ZA attended no fewer than 8 of the participating municipality board meetings in an effort to answer questions and assure them that the WJPC had thoroughly followed all of the processes outlined in the zoning ordinance prior to making its unanimous recommendation to conditionally rezone certain parcels in Selma Township. Without exception there appears to be questions of “why” as it relates to amending the ordinance.

- ✓ WHY are we being asked to vote on amending the ordinance? (general education)
- ✓ WHY are we concerned about a proposed zoning amendment in Selma Township? (??)
- ✓ WHY does the ordinance require 100% agreement? (‘joint’ zoning ordinance)

Staff has received conflicting opinions that do not enable me to answer these questions satisfactorily.

*** Staff is requesting approval to seek an opinion from: Bauckham, Sparks, Thall, Seeber & Kaufman, P.C., the legal firm that represents the Michigan Townships Association.**

Until and unless this issue is resolved to the satisfaction of the WJPC membership and the participating municipalities, we cannot begin to move forward.

This opinion will be paid for from the existing budget dedicated to Consultant /Contract/ Attorney, line item # 251.721.827.03

Master Plan:

Although moving forward on this matter (perhaps with an ad-hoc committee meeting with the planner) is important, it needs to be further addressed by way of the budget presented to the participating municipalities. It is the opinion of the ad-hoc committee and staff that the Master Plan should be addresses aggressively. We should establish a time line that delineates processes and expected outcomes. The notice of intent to plan has intentionally been withheld until a budget has been formally approved - that will physically allow us to move forward.

Budget

Staff is presenting the ‘draft’ 2019-2020 budget to the WJPC based upon input from the Budget and Master Plan ad-hoc committee participation and this past years work load as well as the anticipated projects for the future.

Respectfully submitted,

A handwritten signature in cursive script that reads "Bob".

Robert (Bob) Hall
Planning and Zoning Administrator

LAND USE PERMIT ACTIVITY

Permit #	Parcel #	Applicant Information	Use Type	ZONE	TWP	Zoning Comments
LUP165	2112-07-1105-02	Alltell Comm. / American Tower	Other	RR	SOU	Comm Tower Antenna

FYI

125.3514

Wireless communications equipment as permitted use of property; application for special land use approval; approval or denial; authorization by local unit of government; definitions.

Sec. 3514.

(1) Wireless communications equipment is a permitted use of property **and is not subject to special land use approval or any other approval under this act** if all of the following requirements are met:

- (a) The wireless communications equipment will be collocated on an existing wireless communications support structure or in an existing equipment compound.
- (b) The existing wireless communications support structure or existing equipment compound is in compliance with the local unit of government's zoning ordinance or was approved by the appropriate zoning body or official for the local unit of government.
- (c) The proposed collocation will not do any of the following:
 - (i) Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.
 - (ii) Increase the width of the wireless communications support structure by more than the minimum necessary to permit collocation.
 - (iii) Increase the area of the existing equipment compound to greater than 2,500 square feet.
- (d) The proposed collocation complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound by the appropriate zoning body or official of the local unit of government.

(2) Wireless communications equipment that meets the requirements of subsection (1)(a) and (b) but does not meet the requirements of subsection (1)(c) or (d) is a permitted use of property if it receives special land use approval under subsections (3) to (6).

(3) An application for special land use approval of wireless communications equipment described in subsection (2) shall include all of the following:

- (a) A site plan as required under section 501, including a map of the property and existing and proposed buildings and other facilities.
- (b) Any additional relevant information that is specifically required by a zoning ordinance provision described in section 502(1) or 504.