

Statement indicating why the change is necessary for the preservation of substantial property rights, and why the change will not be detrimental to the public welfare of the property of others in the vicinity.

Commitment to Working with the Wexford Joint Planning Commission (WJPC)

Shipyards Solar is committed to working closely with the WJPC to develop a Project with the community in mind.

The WJPC's Zoning ordinance does not currently allow for utility-scale solar projects to be permitted within its **"Ag-Forest Production" Zoning District**. In 2023, Michigan adopted PA-233, which allows for utility-scale renewable energy projects to seek a Certificate from the Michigan Public Service Commission (MPSC) instead of a local land use permit. At this time, Shipyards Solar is not exploring the MPSC permitting path, and is fully committed to working with the WJPC to obtain local permits. In order for the Project to proceed through the local permitting process, **the Project is seeking a text amendment to allow "Utilities [22]" within the "Ag-Forest Production" Zoning District.**

Why the Change is necessary to for the preservation of substantial property rights

Two Principal Goals of the Wexford Joint Planning Commission 2023 Master Plan are to "Create sustainable economic development" and to "Embrace the new economy and its focus on regional public transportation and **alternative energy**" (emphasis added). The Shipyards Solar Project uniquely supports both goals of the WJPC.

1. Alternative Energy

The Shipyards Solar Project is utility-scale solar development project. Once constructed, this alternative energy Project will generate enough electricity for approximately 45,000 Michigan Homes. Large-scale solar projects take several years to develop and construct. Shipyards began work on the Project in 2023, and plans to begin construction of its facilities in 2028.

2. Sustainable Economic Development

The Shipyards Project will create significant new economic development opportunities in throughout the region, both during construction and throughout its long-term operations. First, for its participating landowners, who have made the decision that solar is the highest and best use of their private property. Second, for the community as a whole, who will see significant economic benefits from the Project, including the long-term creation of millions of dollars in new tax revenue, which benefits local schools, fire and emergency services, as well as County and Township operating funds. The Project also anticipates creating several hundred construction jobs for a period of 12-24 months, which will create an economic windfall for the local economy, including restaurants, hotels, gas stations, and hardware stores.

In order to deliver on these goals of the WJPC, **the Project is seeking a text amendment to allow “Utilities [22]” within the “Ag-Forest Production” Zoning District.**

1. The Project-is entirely located within the “Ag-Forest Production” Zoning District.
2. The Project meets the WJPC’s definition of “Utilities [22]”. The WJPC Zoning ordinance confirms that the brackets are for NAICS Short-Titles. “When this Ordinance lists land use by sector (two digits), it includes all listings in subsector, industry group, NAICS industry and national industry found within that sector,an [sic] none in any other sector.” Under NAICS code Solar Electric Power Generation is 221114. Therefore, the Project meets the WJPC’s definition of Utilities [22]”.
3. The WJPC’s Zoning Ordinance does not currently permit for “Utilities [22]” as a Special land use in the “Ag-Forest Production” Zoning District

Why the change will not be detrimental to the public welfare of the property of others in the vicinity.

The Project has been designed to be fully harmonious with the existing land uses within Wexford Township. Solar Projects, which are a temporary use, do not create glare or excess sound, and do not cause other negative impacts to neighboring property. The entirety of the Project will be enclosed within a 7-8’ woven-wire fence. The Project will avoid impacts to sensitive environmental features such as wetlands, streams, and suitable habitat for threatened and endangered species. The Project has incorporated a 50’ setback from all road rights-of-way and non-participating property lines, as well as a 300’ from all non-participating residential dwellings. In addition, the entirety of the enclosed project area will be planted with permanent vegetative cover that includes native, deep-rooted pollinators, which reduces soil erosion and improves stormwater runoff.

The Project will commission a Sound Study, Glare Study, Decommissioning Plan, and Community Benefits Agreement to be included in its application for a Special Use Permit to WJPC, to affirm its harmoniousness and compatibility with the surrounding land uses and the Township as a whole.