Wexford Joint Planning Commission

4830 E. M – 55 Highway

Cadillac, Michigan 49601

231-775-1138 x 6 planningandzoning@wexfordjpc.org www.wexfordjpc.org

NOVEMBER 2024 STAFF REPORT

PLANNING and ZONING

*There has been a brief delay in securing the lease for our new office location due to Wexford County personnel being occupied by more urgent matters.

*Staff (ZA) is preparing to submit the insurance claim related to legal costs involved in the ZBA-Bismack appeal in the amount of $4270.00.

ENFORCEMENT / COMPLIANCE

Please see attached Enforcement / Compliance spreadsheet: it has been updated to show the current status so far. COMP = Compliance | CLOSED = No Violation present (or STR's CLOSED for Cherry Grove and Selma Townships)

TRAINING OPPORTUNITY

Scheduling conflicts have prevented arranging a remote consultation with MTA legal to review our current Zoning Ordinance language regarding large scale solar / wind ordinances. Article 16 has specific special use standards for Utility Grid Wing Energy Systems which I believe would NOT be considered 'Compatible'.

We do NOT have any 'specific' standards for a large-scale solar energy system, therefore, only the applicable standards in Articles 86 and 94 would apply. Utility Grid Solar | Utilities [22], is permitted as a special use in both the Forest Conservation and Rural Residential zoning districts.

NEW OFFICE LOCATION: [ACTION ITEM – AMEND BYLAWS]

** According to the WJPC attorney, it would only be necessary to amend our by-laws

5. Fiduciary, Office of Record, Professional Services

A. Office of Record: ~~The Cherry Grove Township Hall, 4830 East M-55~~, **401 N. Lake Street** - Cadillac, Michigan 49601, shall be the office of record for the Commission.

RURAL READINESS GRANT

Assistant ZA Townsend has submitted a reimbursement request in the amount of $6076.50 related to our Rural Readiness grant. It will be reported upon receipt.

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*"**Police power ordinances avoid the non-conforming use problem inherent with the zoning approach, because they may regulate activities that are already underway regardless of their lawfulness under zoning**."*

Land Use Permit Activity (since last report)

Permit #	Parcel #	Applicant Information	Use Type	ZONE	TWP	Zoning Comments
2024-164	2409-34-2101	Kadwell, Chez	ND	RR	LIB	New Dwelling
2024-165	2210-31-3201-01	Lundquist, Braedan - Ben Lundquist	ND	RR	SEL	New Dwelling
2024-166	2110-01-4104-03	Faunce, David	Storage Bldg.	RR	CHE	Storage Building
2024-167	2210-PS-12	Agnew, Matt - Orshal Construction	RAD	R2	SEL	18'x36' Residential Accessory
2024-168	2110-CGE-D3	Miller, Trent - Horton's Home Building	RA	R1	CHE	6' x 23' Covered Porch

ND = New Dwelling RAD = Residential Addition RA = Residential Accessory

For your review,

Robert (Bob) Hall
Planning and Zoning Director

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"***Police power ordinances avoid the non-conforming use problem inherent with the zoning approach, because they may regulate activities that are already underway regardless of their lawfulness under zoning***."

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November 25, 2024

RESOLUTION: 11252024

Whereas the Michigan Planning Enabling Act (*PA33 of 2008 as amended*) requires meeting dates for a planning commission to be established by Resolution;

Whereas the Wexford Joint Planning Commission does desire to set not fewer than the minimum number of meeting dates required by statute for the calendar year 2025;

Therefore, it is *Resolved*, that the following meeting dates are established for the Wexford Joint Planning Commission for the calendar year 2025 beginning at 6:30 pm and being conducted at the offices of the Wexford County Road Commission, 85 M-115, Boon, Michigan 49618:

January 27, 2025	May 19, 2025	September 22, 2025
February 24, 2025	June 23, 2025	October 27, 2025
March 24, 2025	July 28, 2025	November 24, 2025
April 28, 2025	August 25, 2025	December 15, 2025

There was a motion by member _____ to adopt this Resolution.
The motion was seconded by member _____ to adopt this Resolution.

Upon a roll call vote, there were _____ members in favor of adopting this Resolution, and _____ members opposed to the adoption of this Resolution.

This Resolution is hereby declared adopted.

_____ November 25, 2024
Beverly Monroe
Secretary

ITEMS of INTEREST

More local preemption bills introduced on mining operations

Four bills were introduced in the House this week to significantly reduce local authority on aggregate mining sites. House Bills 6108 and 6109 would establish a centralizing decision-making process at the state level—with minimal input allowed from local jurisdictions. HB 6108 would establish a statewide permitting process for sand and gravel mining, preempting local ordinances and granting the Michigan Department of Environment, Great Lakes, and Energy authority over mining permits—including environmental impact assessments and mining operation plans. While it would allow local input on site-specific conditions to mitigate nuisances, townships would be preempted from enforcing ordinances that conflict with state law. HB 6109 would amend the Michigan Zoning Enabling Act to limit township and county regulation of the location and operation of mining activities by placing significant restrictions on zoning decisions. Finally, HB 6110 would promote the use of recycled materials in highway projects funded by MI Transportation Fund and HB 6111 would establish criminal penalties for submitting false information that endangers the public (i.e., falsifying mining permit applications). MTA encourages members to contact your state representative to oppose the bills preempting your township's authority, as action is anticipated in late November/early December.

Litigation filed seeking injunction on MPSC PA 233 implementation order

Last week, litigation was filed with the state Court of Appeals on the Michigan Public Service Commission's (MPSC) October order regarding the implementation of Public Act 233 of 2023 on siting of large-scale renewable energy facilities. The litigation seeks an injunction on the MPSC order. MTA's legal counsel is currently reviewing the claim of appeal filing.