

WEXFORD COUNTY PLANNING COMMISSION
Regular Meeting Minutes: Wednesday January 14, 2015, 7:00 PM
Wexford County Services Building, 401 N. Lake St.
Cadillac MI 49601

1. **Call to Order:** Vice-Chairperson Wiggins called the meeting to order at 7:00 PM
2. **Roll Call:** Engels, Mix, Monroe, Middaugh, Stoutenburg, Mitchell, Wiggins were present. Zoning Administrator Green was also present.
3. **Approval of the Agenda:** Motion was made by Mix, with support by Middaugh, to approve the agenda with the addition of “Election of Officers” under item #8(a); motion carried with all in favor.
4. **Approval of the October 15, 2014 Minutes:** Wiggins requested the following changes to the agenda:
 - (a) Add the phrase “be added” after “Consider Change in Voting Process for Special Use Permits” under item #3.
 - (b) Replace the phrase “a reference to a” with “the” under item #4.
 - (c) Replace the phrase “the special use permit standards” with “each special use standard” under item #8(a).

Motion was made by Mix, with support by Middaugh, to approve the October 15, 2014 Minutes as amended. Motion carried with all in favor.

5. **Correspondence [not related to public hearing(s)]:**
6. **Other Business:** *[None]*
7. **Old Business:** *[None]*
8. **New Business:**
 - (a) **Election of Officers:**
 - i. **Chairperson:** Mix nominated Wiggins and Monroe nominated Mix. Nominations were closed by Middaugh. Wiggins was elected Chairperson by a 5-2 roll call vote, with Stoutenburg and Monroe voting in opposition.
 - ii. **Vice-Chairperson:** Mix nominated Monroe for Vice-Chairperson. Monroe closed the nominations. Monroe was elected Vice-Chairperson by a 7-0 roll call vote.
 - iii. **Secretary:** Stoutenburg nominated Middaugh; Middaugh declined the nomination. Monroe nominated Stoutenburg. Mix closed the nominations. Stoutenburg was elected Secretary by a 7-0 roll call vote.
 - (b) **Resolution 14-40 – Public Hearing On Proposed Ordinance Repealing the Wexford County Zoning Ordinance Effective on January 1, 2016**
 - i. **Opening announcement by Chairperson describing nature of request:** Chairperson Wiggins opened the public hearing at 7:20 pm.

- ii. **Explanation of facts and related correspondence by staff:** Green gave a brief explanation of the proposed Ordinance and explained that the County Board of Commissioners made the request and prepared the wording; the Planning Commission is required to take action on the request and hold the public hearing.

iii. **Public Comments**

- A. Bruce Loper, Clam Lake Township, stated ~~that~~that the purpose of good government is good zoning, which is most efficiently handled by the county and should be done as such. Individual township zoning would cost much more because of the duplication of costs. He stated that he visits North Canton, Ohio which is not zoned; it is a mess. Mixed uses together means that more driving is needed to get from business to business as there isn't an area zoned specifically for commercial. Younger people chose nice places which have good zoning.
- B. Mike Solomon, Wexford County Drain Commissioner, appreciates work done by the Planning Commission over the years. Zoning has effect on the environment; Lake Mitchell and Lake Cadillac have ~~issues/complaints~~environmental and contamination issues due to water levels rising in response to more impervious area around lakes. At the current level of \$22,300 per year, Zoning is much cheaper to administer at the County level and creates more uniformity, which equals less conflicts and redundancy of costs. Solomon recently looked at a study of Antrim and Kalkaska, which showed, for example, that property values in non-zoned townships are ~~20~~40% less than zoned townships. According to this study, Michigan has 117 townships without zoning and 1300 with; all cities are zoned. Charging \$1.50 per resident would raise ~~townships~~ \$50,000 ~~budget~~and provide good zoning.
- C. John Saari, Cadillac, is against rules/regulations in principle, but agrees that there should be some zoning to protect property values, ~~but finds the current ordinance is lengthy and cumbersome;~~ Wexford County must assume leadership to protect citizens.
- D. Mike Reilly, South Branch Township Supervisor, stated that with about 300 voters and 714 parcels, there is no way to do township zoning and populate two boards; this would be an excessive burden on small townships.
- E. Steve Cunningham, Boon Township, supports County Zoning; was Boon Township Supervisor for eight years. The townships don't have the finances or the expertise to do their own zoning. ~~He stated that there are economic benefits to zoning which translate~~Good zoning will result in ~~into~~ higher property values which will provide more revenue for townships. Good zoning also results in less conflicts of uses. For example, public and private utility companies follow a plan for transmission corridors which allows for greater efficiency. Nicer places saved for good development. Missaukee County is a good example of how no zoning breeds incompatible land uses. Need leadership that supports sense of place; protects assets. Planning is a process to plan for change.
- F. Pete Hansen, Hanover Township Supervisor stated that it is already a problem getting people to be on boards and said that their Township would be willing to kick in money to support zoning.
- G. Janice ~~Hoyer~~Heuer, Environment Engineer with the Michigan Department of Environmental Quality, disagrees with the arguments for no zoning laid out at this

meeting; the failure to plan leaves development up to chance. ~~Hoyer~~ ~~Heuer~~ also stated that zoning is not un-American, it is a tool to help establish community standards and it stabilizes land values, as well as protects environmental assets. ~~Hoyer~~ ~~Heuer~~ urges the County to keep zoning.

- H. Lynda Ritter, Boon Township Clerk, stated that zoning is unaffordable at the township level. Asking taxpayers to fund an additional millage is not fair. She stated that the township may be willing to have the Assessor enforce zoning. [It is important to maintain the rural aspect of the area.](#)
- I. Tom Williams, Antioch Township Supervisor, stated that the Township did their own zoning [back in the 1970's](#), at a cost of about \$6,000 to 8,000 per year. They went to court with an owner on a zoning violation; owner was only fined \$100.00 after the township spent thousands of dollars in court costs. Antioch Township has considered combining with several townships to do zoning, but cost is still an issue.
- J. Gary Vanhouten, Cadillac, also believes that county-wide zoning is needed [because it provides uniformity among townships](#); damage from no zoning might be irreparable.
- K. Carol Starek, Cadillac, wonders why the Planning Commission thinks eliminating zoning is a good idea; she also questioned the County's authority to eliminate zoning and suggested streamlining measures such as the elimination of special uses and other lengthy processes.
- L. Dave Maynard, Cadillac, is in favor of County zoning, which is encouraged in the current County Plan.
- M. Richard Draper, Greenwood Township, stated that there are economic costs for no zoning. He stated that when he was a Zoning Administrator in another community, he helped uncover a problem with property lines versus buildings that occurred because of lack of prior zoning.
- N. Frank Youngman, Clam Lake Township, heard 30-50 reasons to keep zoning, not any good reasons to eliminate it.
- O. Carl Rickman, South Branch Township, [said that there are lots of good reasons to keep zoning and](#) asked how the county plans to repay taxpayers for lack of services if zoning is eliminated.
- P. Mike Reilly asked who makes the final decision; he was told that the County Board does.
- Q. Gentleman asked how extensive the Planning Commission's recommendation would be. Wiggins answered that it depends on who makes the recommendation.
- R. Mike Solomon, would like a detailed staff report provided to the County Board.
- iv. **Response by applicant to issues raised in staff reports:** The applicant is the Wexford County Board of Commissioners; no comments were made directly in response to the staff report.
- v. **Questions by Planning Commission/Responses:**
- vi. **Close Hearing to public comments:** Wiggins closed the public hearing at 7:45 pm.

vii. Deliberation by Planning Commission

- A. Mix believes zoning fosters arguments between neighbors; he gave an example of how residents who opposed recent wireless tower requests expected the county to pay to defend them in court. The cost of zoning is much more than is currently budgeted. Not allowing buildings to be built because of zoning restrictions reduces property values. Mix ~~ed~~ pointed out that Houston ~~as~~ is the largest city without zoning and argued that studies show other zoned cities have ten times worse problems with blight and traffic than Houston. Free market always work.
- B. Monroe argued that wireless tower location setback waiver, not the towers themselves, for Verizon Wireless on their recent requests ~~were~~as denied by the Zoning Board of Appeals because the waiver was excessive and there were better suited sites available; ~~not the tower itself~~. Many ~~permissive~~ changes made to the Ordinance, such as allowing mini-cabins, mother-in-law dwellings, pole buildings without a principal structure; which shows that zoning is adaptable. Monroe noted that the Board of Commissioners chairperson wants better communication; the most important step is listening to people. Monroe would like the zoning department to be stand alone.
- C. Robert Engels wondered why zoning elimination considered; suggested push back from Verizon issue. Consumers need to know what a property can be used for. The Master Plan and Zoning Ordinance represents a lot of work to be scrapped if zoning is eliminated.
- D. Stoutenburg stated that the Planning Commission did what they were asked to do to revise the Zoning Ordinance to make it less restrictive. However, the County Board wouldn't consider changes and seemed determined to eliminate zoning.
- E. Engels noted master plan work seems to support the current zoning.
- F. Middaugh noted that in his tenure on the Planning Commission, they have spent years working on zoning amendments to benefit residents and interests of County. While he has seen overbearing proposals, he still would like to see ~~reasonable~~-responsible zoning.
- G. Mitchell can't speak on behalf of the County Board, but can say that he voted for this to come before the Planning Commission, but would be open minded and hear out other perspectives. Mitchell would like to sit down with Township Supervisors to work out solutions; he has spoken to Cherry Grove and Selma, who say that can't afford at \$7,000 to \$12,000 yearly it would cost each of them; not sold on eliminating zoning.
- H. Wiggins has been on Planning Commission for eight years and has worked on changes to the Ordinance; the Planning Commission made many good changes to allow alternative uses such as accessory buildings as a principal use and small mini-cabins in rural areas. Committee made recommendations to streamline ordinance; the County Board did not act on recommendations.

- viii. **Consider Recommendation to Approve, approve with conditions/modifications, or deny request:** A motion was made by Wiggins, with support by Mitchell, recommend that the County Board of Commissioners keep County zoning as is and talk to Townships to work out some kind of arrangement with them. Mix wanted the Planning Commission to forward a recommendation that the County Board also consider adoption of the streamlined Ordinance that was presented to them in 2014, stating that he would like that version used if

the County is to keep zoning. [Mix gave an example of a B](#)business owner turned down for business out of garage even, though already filled with equipment. Monroe stated that the Planning Commission spent many years reworking the Zoning Ordinance to address issues brought up by the County Board and the public, but the County Board rejected most of what the Planning Commission worked on. Wiggin's motion carried by a 6-1 roll call vote, with Mix voting in opposition.

9. Public Comment:

- (a) Steve Cunningham stated that he participated in the 2004 County Master Plan and saw representation by many townships, cities and business interests; zoning has to be based on this plan in order to withstand legal challenges. Smart government makes a plan and establishes rules and guidelines to support it.
- (b) Mike Solomon thanked Wiggins and Mitchell for motion and support; he acknowledged that certain hot button issues like wireless communications towers and wind farms have been difficult for the county to tackle as they are very controversial. Solomon agrees with changes that have been made to the Ordinance.
- (c) John Sapp, Hanover Township, asked if million dollar house had a home mechanic next door running a repair business, would that business not drag down the value of the neighbor's house. [Sapp asked if variances were not available.](#)
- (d) Charlie Loper, who is planning student, stated that she was in Denmark and saw how zoning help create a sense of place that attracts young people to settle there. [She said that studies comparing Copenhagen, Denmark, which is zoned, to Houston, which is not, show that Copenhagen was a more desirable place for people to locate due to the sense of place that was created through thoughtful planning and land use policies.](#)
- (e) Roger Fisher, ~~disagrees that townships can't handle zoning~~ [is against big government, and said that local governments make better decisions.](#)

10. Adjournment: Motion was made by Mix, with support by Middaugh, to adjourn at 8:20 pm. Motion carried with all in favor.

Respectfully Submitted by:

Michael Green, Zoning Administrator

Corey Wiggins, Chairperson