

Resolution 2026-04

Resolution Opposing Michigan House Bills 5529-5532 and 5581-5585 Regarding Local Municipal Zoning Authority

VILLAGE OF MARCELLUS, COUNTY OF CASS, STATE OF MICHIGAN

At a regular meeting of the Village of Marcellus, County of Cass, State of Michigan, held in said Village on April 14, 2026, there were:

Present: Markle, Engstrom, Webb, Irwin, Haley M., Haley G. and Watts

Absent: None

WHEREAS, the Village of Marcellus is granted zoning and land use authority pursuant to the Michigan Zoning Enabling Act, and exercises this authority to protect the public health, safety, and welfare of Village residents; and

WHEREAS, the Village of Marcellus exercises its zoning and land use authority pursuant to the Michigan Zoning enabling Act, Public Act 110 of 2006, which expressly grants local governments the power to adopt and enforce zoning regulations tailored to the unique needs, infrastructure capacity and planning goals of their communities; and

WHEREAS, Michigan House Bills 5529-32 & HB 5581-5585 have been introduced in the Michigan Legislature and propose significant statewide changes to zoning and land use regulations that would preempt long-standing municipal authority; and

WHEREAS, these bills would impose statewide mandates related to minimum lot sizes, duplex housing in single-family districts, accessory dwelling units (ADUs), parking requirements, dwelling unit sizes, setback standards, and development review process - regulations that have historically been determined locally to reflect community character, infrastructure capacity, and long-term planning goals; and

WHEREAS, local zoning and development standards in the Village of Marcellus are carefully crafted to align with the capacity of roads, stormwater systems, water and sewer infrastructure, police and fire services, and are integrated with the Village's master planning, capital improvement planning, and municipal budgeting. The Village has recently completed significant updates to its zoning and development processes as part of its Redevelopment Ready Communities (RRC) certification requirements, ensuring that local standards are modern, transparent, and aligned with State-endorsed best practices; and

WHEREAS, statewide zoning preemption risks creating development patterns that conflict with locally adopted plans, exceed infrastructure capacity, and impose unfunded mandates on small communities such as the Village of Marcellus. These proposed mandates would also undermine the substantial investments of time and resources the Village has made to meet RRC expectations, including updates to zoning procedures, public engagement practices and development review standards; and

WHEREAS, the Village of Marcellus recognizes the importance of addressing housing availability and affordability, but believes that effective housing policy must preserve meaningful local input and flexibility so that communities can respond to their unique needs, geographic conditions, and infrastructure limitations; and

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WHEREAS, the Village's Master Plan, adopted through extensive public engagement and consistent with RRC best practices, establishes locally tailored housing, land use, and infrastructure strategies that would be disrupted by statewide zoning mandates that do not reflect the Village's unique conditions; and

WHEREAS, the Village of Marcellus has recently adopted updated development review guides, public engagement procedures and zoning process documents as part of its Redevelopment Ready Communities compliance, all of which were created to meet State-established standards for clarity, predictability and transparency in local development decision making; and

NOW, THEREFORE, be it resolved, that the Village Council of the Village of Marcellus hereby formally opposes Michigan House Bills 5529–5532 and 5581–5585, and any related legislation that would preempt or limit local zoning and land use authority including locally adopted standards and processes developed through the Village's Master Plan and RRC compliance efforts; and

WHEREAS, local planning processes are transparent and participatory, providing residents with direct access to public meetings, hearings, and elected officials, thereby ensuring accountability and community engagement in land use decisions; and

WHEREAS, broad state preemption of local zoning authority would undermine decades of community planning, infrastructure investment, and neighborhood stability within the Village of Marcellus.

WHEREAS, the Village of Marcellus has recently completed a comprehensive update of its zoning ordinance, following an extended process involving public engagement, Planning Commission review and alignment with both the Master Plan and State-endorsed RRC best practices. Statewide preemption would undermine the very standards the Village has just modernized; and

BE IT FURTHER RESOLVED, that the Village Council urges the Michigan Legislature to preserve local control and work collaboratively with municipalities to develop housing strategies that respect local planning processes, infrastructure capacity, and community priorities; and

BE IT FURTHER RESOLVED, that the Village Clerk is directed to transmit a copy of this Resolution to the Governor of the State of Michigan, the Village's State Senator and State Representative, the Michigan Municipal League, and other appropriate legislative committees and organizations.

Adopted on this 14th day of April 2026, by a roll call vote of:

Yeas:

Nays:

Dated: April 14, 2026



Dennis Irwin, Village President

Dated: April 14, 2026



Jacqueline A. Terrill, Village Manager/Clerk

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CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Village Council of the Village of Marcellus, County of Cass, State of Michigan, at a meeting held on April 14, 2026, the original of which is on file in my office and available to the public. Public Notice of said meeting was given pursuant to and in compliance with the Open Meetings Act.

Dated: April 14, 2026



Jacqueline A. Terrill, Village Manager/Clerk