

ADAMS TOWNSHIP ORDINANCE NUMBER 2022/02/01
ZONING ORDINANCE
ADOPTED: 02/07/2022
EFFECTIVE 7 DAYS AFTER PUBLICATION

SECTION 1 - INTRODUCTION

1. Authority

Whereas, the Township Board, Adams Township, Houghton County, Michigan deems it necessary, in order to protect the public health, and general safety and welfare of the people, adopts this ordinance under the authority of MICHIGAN ZONING ENABLING ACT, Act 110 of 2006 as amended.

2. Purpose

This ordinance is based on the Adams Township Master Plan and is intended to:

- 2.1 Promote and protect the public health, and general safety and welfare of the people;
- 2.2 To divide the Township into zones or districts restricting and regulating the location, erection, construction, reconstruction, alteration and use of buildings, structures, and land for residential, business and manufacturing and other specified uses;
- 2.3 To protect the character and the stability of the residential, business, and manufacturing areas within the Township, and to promote the orderly and beneficial development of such area(s);
- 2.4 To protect against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort and general welfare;
- 2.5 To define and limit the powers and duties of the administrative officers and bodies as provided herein.

3. Intent

This is an Ordinance dividing Adams Township, Houghton County, Michigan into districts for the purpose of classifying and regulating and limiting the intensity of the use of land within the Township; providing for administration, enforcement, and amendment of such regulations.

4. Interpretation

In their interpretation and application, the provisions of this Zoning Ordinance shall be held to be the minimum requirements for the promotion of public health, and general safety and welfare.

5. Severability

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

6. Title

This Ordinance shall be known, cited, and referred to as the "Adams Township Zoning Ordinance of 2022."

SECTION 2 – GENERAL PROVISIONS

SECTION 201: Jurisdiction

The jurisdiction of this Ordinance shall include all lands and waters within the unincorporated areas of Adams Township. All uses of land established hereafter, shall be subject to all regulations of this Ordinance which are applicable to the zoning districts in which such uses, shall be located.

SECTION 202: Use Restrictions

- 2.1. Principal Uses – Only those principal uses specified for a zoning district, shall be permitted in that district.
- 2.2. Accessory Uses – Accessory uses and structures are permitted in any district, but not until their principal structure previously exists or is under construction.
- 2.3. Special Uses – Special uses and their accessory uses are permitted in districts as specified.
- 2.4. Unclassified or Unspecified Uses – In case of uncertainty where the Zoning Administrator is unable to determine literally whether a use is permitted as a principal or accessory use, the Board of Appeals shall interpret the rules.
- 2.5. Temporary Uses – Temporary uses, such as real estate field offices or shelters for materials and equipment being used in the construction of a permanent structure, are permitted while sales or construction are in progress.

SECTION 203: Control of Heat, Glare, Fumes, Dust, Noise and Vibration

Every use shall be so conducted and operated that it does not create a nuisance and so that it is not dangerous by reason of heat, glare, fumes, dust, noise or vibration beyond the premises upon which the use is located.

SECTION 204: Application and Enforcement

The regulations herein established within each Zoning District shall be the minimum regulations for promoting and protecting the public health, safety and general welfare, and shall be uniform for each class of land or buildings and structures throughout each district. Where there are practical difficulties in the way of carrying out the strict letter of this Ordinance, the Zoning Board of Appeals shall have power in passing upon appeals, in accordance with rules passed by resolution of the Adams Township Board, to vary or modify regulations and provisions of this Ordinance so that the intent and purposes of this Ordinance shall be observed.

The Zoning Board of Appeals shall have 3 members.

SECTION 205: Existing Non-conforming Uses and Structures

Where, at the effective date of adoption or amendment of this Ordinance, a lawful use of land exists that is no longer permissible under the terms of this Ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful.

SECTION 3 – ZONING DISTRICTS

SECTION 301: Establishment

For the purpose of this Ordinance, the Township of Adams is hereby divided into the following zoning districts:

AG Agriculture
COM Commercial
FF Forest District
REC Recreation
RES Residential
RUR Rural Residential

SECTION 302: District Boundaries

Boundaries of these districts are hereby established as shown on the official zoning map which accompanies and is hereby declared to be part of this Ordinance. Where uncertainty exists as to the boundaries of zoning districts as shown on the zoning map, the following rules of construction and interpretation shall apply:

- 2.1. Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such centerlines.
- 2.2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- 2.3. Boundaries indicated as approximately following township boundaries shall be construed as following township boundaries.
- 2.4. Boundaries indicated as approximately following shorelines or lake or stream beds shall be construed as following such shorelines or lake or stream beds; and in the event of change in the location of shorelines or lake or stream beds shall be construed as moving with the shoreline and lake or stream bed.
- 2.5. Boundaries indicated as approximately following property lines, section lines or other lines of a government survey shall be construed as following such property lines, section lines or other lines of a government survey as they exist as of the effective date of this Ordinance or applicable amendment thereto.

SECTION 303: Areas Not Included Within a District

In every case where land had not been included within a district on the zoning map, such land shall be in the FF (Farm and Forest District).

Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the adjoining district. If the vacated street or alley adjoins two different zones, the center line of the vacated street or alley shall constitute the zone boundary.

SECTION 304: Districts:

4.1 Agriculture and Forest

Purpose – The Forest District is established as a zone in which agriculture, forest and certain related uses are encouraged as the principal uses of land. The specific intent is to facilitate the proper use of lands best suited to agriculture and forestry through preventing the mixture of urban uses which creates incompatibility and conflict, places unbalanced tax loads on the agricultural and forestry lands to help pay for urban services, and contributes to the premature termination of agricultural and forestry pursuits.

Permitted Uses –

- 1.a. Agricultural and forestry uses, including but not limited to, horticulture; forestry; crop and tree farming; gardening; dairy, stock and poultry farming; and the operation of any machinery or vehicles and other uses customarily incidental thereto; but excluding slaughter houses, fertilizer works, plants for the process of animal skins or hides, and plants for the reduction of animal matter.
- 1.b. Agricultural supply outlets
- 1.c. Dwellings
- 1.d. Public or private community facilities such as schools, churches, cemeteries, libraries, parks recreational facilities, and similar uses.
- 1.e. Removal and processing of sand, gravel, or other such minerals when authorized as a special use by the Board of Appeals. In considering such authorization, the Board of Appeals shall consider the following standards:
 - The size of the property from which such sand, gravel, or other such materials are to be removed;
 - The amount of sand, gravel, or other such materials which is to be removed;
 - The safe effect of such removal on adjoining property which may include safety hazard, creation of erosion problems and altering the groundwater table.
- 1.f. Accessory Uses, including the following:
 - Home occupations and neighborhood related services in a single-family dwelling provided that such use is incidental to the main use as a dwelling and further provided that such use is limited to a person actually residing in the dwelling;
 - Living quarters for hired help such as a tenant house, mobile home, apartment, or room per persons employed on the premises;
 - Barns and other bona fide farm buildings or structures;
 - Private garages and private greenhouses;
 - Kennels;
 - Riding stables
- 1.g. Public Utility and service uses such as electric substations, transmission structures, radio, radio-television-microwave relay towers, water reservoirs, or pumping stations, government buildings, transportation facilities, and similar uses.

4.2 REC – Recreation District

Purpose - The Recreation District is established to permit a controlled mixture of dwellings in an area without public sewer and water services. This district is intended to provide an orderly transition between F&F and higher density of the urban areas.

Permitted Uses

- 2.a. Dwelling, single and multi-family dwellings
- 2.b. Agriculture and forestry
- 2.c. Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, hospitals, institutions, etc.
- 2.d. Neighborhood services.
- 2.e. Accessory Uses, including the following:
 - Home occupations and neighborhood related services in a single-family dwelling provided that such use is incidental to the main use as a dwelling and further provided that such use is limited to a person actually residing in the dwelling;
 - Living quarters for hired help such as a tenant house, mobile home, apartment, or room per persons employed on the premises;
 - Barns and other bona fide farm buildings or structures;
 - Private garages and private greenhouses;
 - Kennels;
 - Riding stables

4.3 RUR – Rural Residential District

Purpose – The purpose of this District is to accommodate a compatible mixture of seasonal and year-round housing types. Densities must necessarily be relatively low because public sewer and water will not be available.

Permitted Uses

- 3.a. Single-family dwellings.
- 3.b. Agricultural and forest activities as regulated by Section 4: AF and RUR.
- 3.c. Accessory uses

Home occupation in a single-family dwelling provided that such use is incidental to the main use as a dwelling and further provided that such use is limited to a person actually residing in the dwelling.

Private garages

- 3.d. Special uses

Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, institutions, etc.

Public boat landings, docks or access points for pleasure or fishing boats and buildings for storage of boats.

Dwelling units for seasonal occupancy.

Commercial boat landings and related facilities.

4.4 RES - RESIDENTIAL

Purpose The Residential District is intended for the establishment and preservation of quiet neighborhoods for single-family dwellings and two-family dwellings free from other uses except those which are both compatible with and convenient to the residents in this District.

Permitted Uses

- 4.a. Single-family dwellings.
- 4.b. Two-family dwellings.
- 4.c. Family Day Care Home

4.d. Home occupation in a single-family dwelling provided that such use is incidental to the main use as a dwelling and further provided that such use is limited to a person actually residing in the dwelling.

4.e. Private garages

e. Special uses

Public or private community facilities such as schools, churches, cemeteries, libraries, parks, recreational facilities, institutions, etc.

4.5 Commercial

Intent: The Commercial/Industrial District is designed and intended for commercial and industrial activities, including manufacturing, storage, and other industrial uses.

Permitted Principal Uses:

5.a. Retail Stores and restaurants

5.b. Manufacturing.

5.c. Processing, assembling and fabrication operation.

5.d. Contractor yards and shops.

5.e. Warehouses.

5.f. Auto repair facilities.

5.g. Car Wash

5.h. Lumberyards and Woodyards.

5.i. Sawmills.

5.j. Concrete and asphalt plants,

5.k. Power generating and transmitting facilities.

Permitted Accessory Uses: Any structural or mechanical building or use customarily incidental to the permitted principal use

SECTION 4 - SITE PLAN REVIEW

It is the purpose of this Section to require site plan review approval for all buildings, structures, and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and the character of future development. The regulations contained herein are intended to enforce the requirements and rules of this Zoning Ordinance.

SECTION 401: SITE PLAN REQUIRED

1. The Adams Township Board requires the submission and approval of a site plan before authorization of a land use or activity regulated by a zoning ordinance. The Adams Planning Commission is responsible for reviewing site plans and granting approval.
2. The Adams zoning ordinance requires site plan approval. The site plan, as approved, shall become part of the record of approval. Subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance receives the mutual agreement of the landowner and the Adams Planning Commission that approved the site plan.
3. Site plan submission, review, and approval shall be required for conditional uses. Decisions rejecting, approving, or conditionally approving a site plan shall be based upon requirements

and standards contained in the zoning ordinance, other local unit of government planning documents, other applicable ordinances, and state and federal statutes.

4. A site plan shall be approved if it contains the information required by the Adams zoning ordinance and is in compliance with the conditions imposed under the zoning ordinance, other Houghton County planning documents, other applicable ordinances, and Michigan and federal statutes. A site plan is required and shall accompany the applications for:
 - a. Zoning Compliance Permits for:
 - 1) Any proposed construction
 - 2) Any commencement of a new use
 - 3) Any proposed change in use
 - b. Conditional Use Permit
 - c. Variances
 - d. Any other request for zoning status where the Zoning Administrator determines a sure plan is necessary for accurate review or documentation of the existing development.

SECTION 402: SITE PLAN REQUIREMENTS

The site plan may be drawn on the application form or on a separate sheet of paper as appropriate to the scale and amount of information shown. Each site plan shall be drawn to a 44 scale where one (1) inch does not equal more than forty (40) feet. Maximum drawing size not to exceed twenty-four by thirty-six (24"x36") inches.

The site plan shall show the following information:

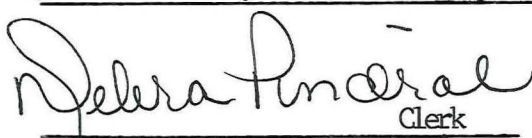
1. A legal description of the site.
2. All lot lines and dimensions of the lot.
3. All roads and easements.
4. All existing and proposed buildings will be shown and labeled.
5. Proposed use of each building.
6. Date, North point, and scale.
7. Name and address of owner.
8. Any other information considered necessary

SECTION 403: REVIEW PROCEDURES

Upon receipt of any site plan, the Zoning Administrator shall review it to determine whether it is in proper form, contains all of the required information, shows compliance with this Ordinance and all other Ordinances.

Upon demand by the proposer of the site plan, the Zoning Administrator shall within ten (10) working days, approve or deny in writing, setting forth in detail the reasons which shall be limited to any defect in form or required information, any violation of provision of this or any other Ordinance, and any changes which would make the plan acceptable. The proposer may appeal any denial to the Township Zoning Board or Appeals.


Supervisor


Clerk

ADAMS TOWNSHIP ORDINANCE NUMBER: O2022-06-1
WIND TURBINE POWER GENERATION ORDINANCE
ADOPTED: 06/06/2022
EFFECTIVE 30 DAYS AFTER PUBLICATION

Regulation of Wind Turbine Power Generation.

This ordinance is enacted pursuant to Michigan Compiled Law 41.281.

Adams Township, Houghton Adams Township, Michigan ordains:

Section 1. Purpose. To protect the safety, health, prosperity, comfort, convenience and welfare of the public from potential negative effects of wind turbine generators while permitting their appropriate use, this ordinance is intended to:

- 1.1 Protect residential areas from potential adverse impact of wind turbine generators.
- 1.2 Consider the public health and safety of wind turbine generators; and
- 1.3 Avoid potential damage to adjacent property from the failure of wind turbine generators or anemometer towers.

Section 2. Application for approval. All commercial wind turbine generators must have a permit issued by the Adams Township prior to beginning construction. Every application for a commercial wind turbine generator permit shall be made in writing to the Adams Township Supervisor accompanied by any and all filing fees. The permit application shall include but is not limited to the following information.

- 2.1 Name and address of the applicant.
- 2.2 Evidence that the applicant is the owner of the property involved or has written permission of the owner to make such application.
- 2.3 A plot and development plan drawn in sufficient detail to clearly describe the following:
 - a. Physical dimensions of the property, existing structures, and proposed structures.
 - b. Location of existing and proposed structures.
 - c. Location of electrical lines and facilities.
 - d. Existing topography.
 - e. Proposed grading and removal of natural vegetation.
 - f. Setbacks.
 - g. Ingress and egress identifying the location and distance to the nearest improved road.
- 2.4 Utility interconnection data and a copy of written notification to the utility of the proposed interconnection.
- 2.5 Specific information of the type, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each WTG model, tower and electrical transmission equipment. Structure may not be installed without the prior written approval of the Township.

Section 3. State or Federal Requirements. Any proposed wind turbine generator or anemometer tower shall meet or exceed any standards and regulations of the FAA, the Michigan Public Service Commission, National Electric Safety Code, U.S. Fish and Wildlife Service and any other agency of the local, state or federal government with the authority to regulate wind turbine generators or other tall structures in effect at the time the permit is issued.

Section 4. On Site Use Wind Energy Systems. An On Site Use wind energy system is intended to serve the needs of the consumer and does not transmit power to a commercial grid. On Site Use wind energy systems with no towers or towers 100 feet or less are allowed subject to the following requirements.

4.1 Property Set-back: The distance between an On Site Use wind energy system and the owner's property lines shall be at least the height of the wind energy system tower including the top of the blade in its vertical position. The distance between an anemometer tower and the owner's property lines shall be at least the height of the tower. No part of the wind energy system structure, including guy wire anchors, may extend closer than ten feet to the owner's property lines.

4.2 Sound Pressure Level: On Site Use wind energy systems shall not exceed 40 dB(A) at the property line closest to the wind energy system. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level exceeds 40 dB(A) without the noise of the wind turbine generators, the standard shall be ambient dB(A) plus 5 dB(A).

4.3 Vibrations. Any wind turbine generator shall not produce vibrations humanly perceptible beyond the boundaries of the property on which it is located.

Section 5. Commercial Wind Energy Systems. Every wind turbine generator (WTG) that exceeds 100 feet in height or that is connected to supply energy to a commercial grid is a commercial wind energy system and must comply with the permitting requirements of this ordinance

5.1 Property Set-back: The distance between a commercial wind energy system and the owner's property lines, a street, highway, or road, or a house or inhabited structure on adjacent property shall be at least 5000 feet.

5.2 Sound Pressure Level: On Site Use wind energy systems shall not exceed 40 dB(A) at the property line closest to the wind energy system, and shall be measured in 10 minute intervals, not averaged over long periods of time. This sound pressure level may be exceeded during short-term events such as utility outages and/or severe wind storms. If the ambient sound pressure level without the noise of the wind turbine generators exceeds 40 dB(A), the standard shall be ambient dB(A) plus 5 dB(A).

5.3 Vibrations. Any wind turbine generator shall not produce vibrations humanly perceptible beyond the boundaries of the property on which it is located.

Section 6. Tower Lighting. Each wind turbine generator or anemometer tower shall not be artificially lighted, unless required by the Federal Aviation Authority (FAA) or other applicable governmental authority. If lighting is required, the lighting shall be the lowest intensity allowable under FAA regulations, . Red or white intermittent lighting

is permissible. All tower lighting required by the FAA shall be shielded to the extent possible and acceptable to the FAA to reduce glare and visibility from the ground.

Section 7. Effect or Impact on Wildlife. Development and operation of a commercial wind energy facility shall not have a significant adverse impact on migratory bird species, bats, endangered or threatened fish, wildlife, or plant species or their critical habitats, or other significant habitats identified by the Michigan Department of Natural Resources and/or the studies of the U.S. Fish and Wildlife Service. Commercial wind energy facilities must adhere to the guidelines set forth by the U.S. Fish and Wildlife Service, "Land-Based Wind Energy Guidelines"

(http://www.fws.gov/windenergy/docs/weg_final.pdf), Federal Register: March 26, 2012 (77FR 17496) as evidenced by a concurrence letter from the Service stating that the developer has fully followed the Guidelines.

Post construction monitoring must be conducted at any constructed commercial wind generating facility using a protocol and duration approved by the MI DNR and U.S. Fish and Wildlife Service with annual reports submitted to both agencies and Adams Township

Section 8. Electromagnetic Interference. All wind turbine generators shall be constructed and operated so that they do not interfere with television, telephone (including cellular and land line), microwave, navigational, or radio reception to neighboring areas. The applicant and/or operator of the facility shall be responsible for the full cost of any remediation necessary to correct any problems, including relocation or removal of the facility, caused or exacerbated by the operation of such equipment and any and all related transmission lines, transformers, and other components related thereto.

Section 9. Sign. A sign no more than four (4) square feet in area displaying an address and toll-free telephone number, answered by a person twenty-four hours per day, seven days per week, for emergency calls and informational inquiries shall be posted at the proposed wind turbine generator or anemometer tower erected prior to a wind turbine generator. No wind turbine generator tower or anemometer tower or site shall include any advertising sign.

Section 10. Removal. Any wind turbine generator or anemometer tower that is not operated for a continuous period of nine (9) months shall be considered abandoned, and the owner of such wind turbine generator or anemometer tower shall remove the same within ninety (90) days of receipt of notice from Adams Township. In addition to removing the wind turbine generator, or anemometer tower, the owner shall restore the site of the wind turbine generator or anemometer tower to its original condition prior to location of the wind turbine generator or anemometer tower. Any foundation associated with a wind generator or anemometer tower shall be totally removed and the site restored to its original state including the planting of any grasses or cover crops, which may have been present prior to construction. Any and all transmission equipment, buildings and fences shall also be removed. Failure to remove an abandoned wind turbine generator or anemometer tower within the ninety (90) day period provided in this

subsection, or in the event that the owner or operator of the wind turbine generator or anemometer tower is no longer financially capable, or fails to respond to mail sent to its last address on file with the Adams Township, shall be grounds for Adams Township to remove the wind turbine generator or anemometer tower structure and all associated equipment or appurtenances at the owner's expense. Adams Township may sell any salvageable material, deducting the balance due from the cash bond, which Adams Township shall require.

Adams Township shall further require the applicant to post a cash or surety bond equal to 50% of the original cost of the tower structure and attendant structures to assure the removal of such abandoned structures and remediation of any toxic or hazardous materials left on the site as a condition of a special use permit given pursuant to this section. In the event that a surety bond is to be substituted for a cash bond, it shall be prepaid for a period of five years, with the insurance carrier instructed to notify Adams Township of any delinquency in payment within thirty (30) days of the occurrence of such delinquency. Such delinquency shall be considered abandonment and full and sufficient grounds for the Adams Township to terminate the special use permit and dispose of the equipment and appurtenances as stated above.

Section 11. Severance Clause. If any section, clause, or provision of the Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 12. Definitions.

12.1 ANEMOMETER. An instrument for measuring and recording the speed of the wind.

12.2 ANEMOMETER TOWER. A structure, including all accessory facilities, temporarily erected for no more than two (2) years, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

12.3 WIND TURBINE GENERATOR (WTG). A tower, pylon, or other structure, including all accessory facilities, upon which any, all or some combination of the following are mounted:

- a. A wind vane, blade, or series of wind vanes or blades, or other devices mounted on a rotor for the purpose of converting wind into electrical or mechanical energy.
- b. A shaft, gear, belt, or coupling device used to connect the rotor to a generator, alternator, or other electrical or mechanical energy producing device.
- c. A generator, alternator, or other device used to convert the energy created by the rotation of the rotor into electrical or mechanical energy.

12.4 WIND TURBINE GENERATOR TOWER HEIGHT.

- a. Horizontal Axis Wind Turbine Rotors: The distance between the ground and the highest point of the wind turbine generator, plus the length by which the rotor wind vanes or blades mounted on a horizontal axis wind turbine rotor exceeds the height of the wind turbine generator.
- b. Vertical Axis Wind Turbine: The distance between the ground and highest point of the wind turbine generator.

Section 13. Penalty for violation. Any person, firm or corporation who violates or fails to comply with the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than \$100.00 per day for each separate violation, and costs of prosecution, or by imprisonment in the county jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court. Each day that a violation of this Ordinance exists shall constitute a separate offense.

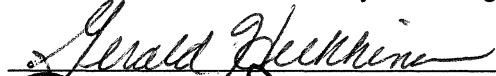
Section 14. Injunction. The Township may bring an action in a court of competent jurisdiction against a person to enjoin that person from engaging or continuing in a violation of this ordinance.

Section 15. Enforcement. The Township may appoint a representative to enforce this ordinance.


Section 16. Effective Date.

16.1 This Ordinance shall become effective Thirty (30) days after publication, and at which time it will supersede prior ordinance 2014-09-02.

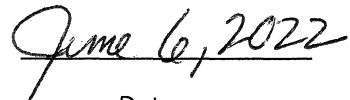
16.2 This ordinance was adopted by the Adams Township Board at a regularly scheduled monthly meeting conducted on 06/06/2022.



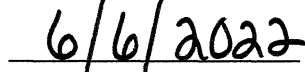
Gerald Heikkinen, Supervisor



Debra Pindral, Clerk



Date



Date

ADAMS TOWNSHIP RESOLUTION NUMBER R2022-06-02
TO PHOTOVOLTAIC SOLAR FARMS ORDINANCE 2021-02-01

ADOPTED: 06/06/2022

EFFECTIVE 30 DAYS AFTER PUBLICATION

Regulation of Commercial Solar Power Generation

This ordinance is enacted pursuant to Michigan Compiled Law 41.181.

Adams Township, Houghton Adams Township, Michigan ordains:

A. Solar Farm Definition: For the purpose of this ordinance a Solar Farm is defined as a utility-scale commercial facility which uses photovoltaic conversion of sunlight directly into electricity.

B. Intent and Purpose: To permit the use of Solar Farms within Adams Township as a clean alternative energy source and to provide for the installation and construction of Solar Farm facilities subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish minimum requirements and standards for the placement, construction and modification of Solar Farm facilities, while promoting a renewable energy source for our community in a safe, effective and efficient manner.

C. Minimum Lot Size: Large photovoltaic Solar Farm facilities shall not be constructed on parcels less than twenty (20) acres in size.

D. Height Restrictions: All photovoltaic panels located in a Solar Farm shall be restricted to a height of 35 feet.

E. Setbacks: All photovoltaic solar panels and support structures associated with such facilities (excluding perimeter security fencing) shall be a minimum of 100 feet from a side or rear property line and a minimum of 100 feet from any road or highway right-of-way.

F. Safety/Access: A security fence 10 feet high shall be placed around the perimeter of the solar power plant and electrical equipment shall be locked. All battery energy storage systems shall be prominently labeled with exterior signs visible from 100 feet from all sides storage system container of building. Lock boxes and keys shall be provided at locked entrances for emergency personnel access.

G. Noise: No large photovoltaic Solar Farm facilities shall exceed sixty-five (65) dBA as measured at the property line.


H. Landscaping: Large photovoltaic Solar Farm facilities shall be required to install perimeter landscaping equal to one (1) tree for each twenty-five (25) feet of road or highway frontage. One (1) tree shall be required every twenty-five (25) feet of property line along the sides and rear of such developments when abutting existing homes or developed parcels. Trees shall be a minimum of four (4) feet tall when planted and remain in good condition for the life of the Solar Farm.

I. Local, State and Federal Permits: Large photovoltaic Solar Farm facilities shall be required to obtain all necessary permits from the United States Government, State of Michigan, Houghton County, and Adams Township, and comply with standards of the State of Michigan adopted codes.

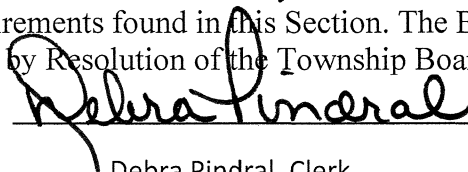
J. Electrical Interconnections: All electrical interconnection or distribution lines shall comply with all applicable codes and standard commercial large-scale utility requirements.

K. Application Content: The following topics shall be addressed in an application for such large photovoltaic Solar Farm facilities.

- 1) Project description and rationale: Identify the type, size, rated power output, performance, safety and noise characteristics of the system, including the name and address of the manufacturer, and model. Identify time frame, project life, development phases, likely markets for the generated energy, and possible future expansions;
- 2) Analysis of onsite traffic: Estimated construction jobs, estimated permanent jobs associated with the development;
- 3) Visual impacts: Review and demonstrate the visual impact using photos or renditions of the project or similar projects with consideration given to tree plantings and setback requirements;
- 4) Wildlife: Review potential impact on wildlife on the site;
- 5) Environmental analysis: Identify impact analysis on the water quality and water supply in the area, and dust from project activities;
- 6) Waste: Identify solid waste or hazardous waste generated by the project;
- 7) Lighting: Provide lighting plans showing all lighting within the facility. No light may adversely affect adjacent parcels. All lighting must be shielded from adjoining parcels, and light poles are restricted to eighteen (18) feet in height;
- 8) Transportation plan: Provide access plan during construction and operation phases. Show proposed project service road ingress and egress access onto primary and secondary routes, layout of the plant service road system;
- 9) Public safety: Identify emergency and normal shutdown procedures. Identify the location and contents of all battery electrical storage systems in the facility. Identify potential hazards to adjacent properties, public roadways, and to the community in general that may be created;
- 10) Sound limitations and review: Identify noise levels at the property line of the project boundary when completed;
- 11) Telecommunications interference: Identify electromagnetic fields and communications interference generated by the project;
- 12) Life of the project and final reclamation: Describe the decommissioning and final land reclamation plan after anticipated useful life or abandonment or termination of the project, including evidence of an agreement with the property owner that ensures proper final removal of power generating equipment within six (6) to twelve (12) months of decommissioning. A cash bond or a copy of a surety bond in an amount equal to 50% of the original cost of the power generation structures and attendant structures to cover the cost of the decommissioning, removal, and remediation of the site,
- 13) Township Board Review: Because of the changing technology of photovoltaic solar panels, the Adams Township Board shall have the authority to review and modify both dimensional requirements as well as physical development requirements found in this Section. The Board is specifically authorized to revise these requirements by Resolution of the Township Board.



Gerald Heikkinen, Supervisor



Debra Pindral, Clerk