

MAPLE VALLEY TOWNSHIP, MONTCALM COUNTY, MICHIGAN

ORDINANCE AMENDING MAPLE VALLEY TOWNSHIP ZONING ORDINANCE  
TO REGULATE WIND ENERGY FACILITIES

ORDINANCE NO. \_\_\_\_

At a meeting of the Township Board of Maple Valley Township, Montcalm County, Michigan, (“Township”) held at the Maple Valley Township Hall on \_\_\_\_\_, 2022 at \_\_\_:\_\_\_ p.m., Township Board Member \_\_\_\_\_ moved to adopt the following Ordinance, which motion was seconded by Township Board Member \_\_\_\_\_.

*An Ordinance to amend the Maple Valley Township Zoning Ordinance to regulate the development and use of Wind Energy Facilities within the Township.*

**Maple Valley Township, Montcalm County, Michigan, ordains:**

**Article 1.** Section 408.B of the Township Zoning Ordinance, which lists the special land uses allowed in the A-1, Agricultural District, is hereby amended as reflected below to add “Wind Energy Facility” as a special land use in that District:

**SECTION 408 A-1, AGRICULTURAL DISTRICT**

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**B. Special Land Uses**

1. Duplex
2. Campground
3. Cemetery, Crematories, Mausoleums
4. Golf Course/Country Club
5. Church/Religious Institution
6. Communication Tower
7. Private Road
8. Home Based Business
9. Riding Stable, Commercial
10. Commercial Recreation (Outdoor)
11. Commercial Kennel
12. Group Home/Group Day Care
13. Nursery and Greenhouse
14. Mineral Extraction
15. Veterinary Clinic (Large Animal)
16. Junk Yard
17. Light Manufacturing
18. Vehicle Sales/Service/Repair (Including Recreational Vehicles, such as boats, ATV's, etc.)

19. Wind Energy Facility

**Article 2.** Section 733, entitled “Wind Energy Facilities,” is hereby added to the Township Zoning Ordinance as reflected below to regulate the review and approval of Wind Energy Facilities as special land uses in the A-1, Agricultural District, and shall read as follows:

**SECTION 733 WIND ENERGY FACILITIES**

A. **Definitions.** The following definitions shall apply to the issuance of special land use approvals and the approval of site plans for Wind Energy Facilities and other wind energy improvements referenced within the Zoning Ordinance. Singular and plural forms of the defined words below shall have the same defined meanings except as plural or singular by context.

**Ambient:** The sound pressure level exceeded 90% of the time or L90.

**db(A):** The sound pressure level in decibels. Refers to the “a” weighted scale defined by the American National Standards Institute (“ANSI”). A method for weighting the frequency spectrum to mimic the human ear.

**Decibel:** The unit of measure used to express the magnitude of sound pressure and sound density.

**FAA:** The Federal Aviation Administration.

**Hub Height:** When referring to a Wind Energy Conversion System, the distance measured from ground level to the center of the turbine hub. Hub Height is defined as the height from the ground level at which the hub of the windmill or the hub of the propeller blades of the wind energy generator is situated.

**MET Tower:** A meteorological tower used for the measurement of wind speed.

**Michigan Tall Structures Act (MCL 249.481 et seq.):** Governs the height of structures in proximity to airport-related uses and is included as a standard in the Township Zoning Ordinance in regard to Wind Energy Facilities.

**Non-Participating Lot:** Any lot or property in the Township not within the boundaries of a proposed Wind Energy Facility. The boundaries of a proposed Wind Energy Facility include properties and lots where property owners have signed leases or performed other formal land transactions with a developer or operator of a proposed Wind Energy Facility for use of their lands related to a proposed wind energy project.

**Occupied Building:** Any structure intended for living or business purposes, which includes but is not limited to working, sleeping, eating, cooling, recreation, office space, office storage, or any combination thereof. An area used only for storage incidental to residential or other uses is not included in the definition nor is any structure not intended for use by humans.

**Rotor:** An element of a Wind Energy Conversion System that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind.

**Shadow Flicker:** Alternating changes in light intensity caused by the moving blade of a Wind Energy Conversion System casting shadows on the ground and stationary objects, such as a window in a dwelling.

**Sound Pressure:** Average rate at which sound energy is transmitted through a unit area in a specified direction; the pressure of the sound measured at a receiver.

**Sound Pressure Level:** The sound pressure mapped to a logarithmic scale and reported in decibels (dB).

**Tip Height:** When referring to a Wind Energy Conversion System, the distance measured from ground level to the furthest fully vertical extension of the rotor blade.

**Utility Wind Turbine:** An individual component of a Wind Energy Conversion System that consists of a tower, blades, and hub designed to use wind to generate electricity with the main purpose to supply electricity to off-site customers.

**Wind Energy Facility:** An electricity generating facility consisting of one or more Utility Wind Turbines under common ownership or operation control, and includes substations, MET Towers, cables/wires and other buildings accessory to such facility, with the main purpose being to supply electricity to off-site customers.

**Wind Energy Conversion System:** An improvement which converts wind energy into electricity through the use of a Utility Wind Turbine or other wind turbine generator and includes the turbine, blades, and tower as well as related electrical equipment. This does not include wiring to connect the Wind Energy Conversion System to the grid.

B. Special Land Use Review and Site Plan Review (Wind Energy Facility).

1. Wind Energy Facilities, shall not be located, constructed, erected, altered, or used without first obtaining a Wind Energy Facilities Special Land Use Approval and Site Plan Approval pursuant to the Zoning Ordinance. The Wind Energy Facilities Special Land Use Approval and Site Plan must be reviewed and approved pursuant to standards contained herein, as well as other applicable standards in this Zoning Ordinance, including general special land use permit and site plan review standards.
2. **Wind Energy Facility - Specific Application Materials:** In addition to other general submissions required by the Zoning Ordinance for special land use permit and site plan review, an applicant proposing a Wind Energy Facility must submit the following specified materials below and otherwise submit documentation indicating compliance with this Section:
  - a. *Contact Information:* Applicant contact information (telephone numbers and e-mail addresses), including name of applicant, name of project, and key company contacts with titles (if applicable).
  - b. *Narrative:* A narrative describing the proposed Wind Energy Facility, including an overview of the project and how the proposed project will comply with all Zoning Ordinance requirements.
  - c. *Detailed Site Plan Information:* A paper and electronic copy of the site plan for the property showing existing and proposed features such as buildings, structures, roads (rights of way), applicable utility easements, county drains, zoning districts, ownership of property, location of proposed Utility Wind Turbines (with required setbacks, exclusion zones and Non-Participating Lots), underground and overhead wiring (including depth underground), access roads (including widths), substations, and any accessory structures. Applicants shall also supply all shape files associated with the information above.
  - d. *Tower Drawings and Base Removal:* Details or drawings showing features in the design of a typical Utility Wind Turbine for a proposed project and its base that upon removal of said tower will allow restoration of the soil at the site to a depth of 6 feet below grade.
  - e. *Construction Schedule:* Anticipated project construction commencement date and anticipated project construct completion date.

- f. *Emergency Response Plan:* A written document documenting how the applicant or operator will respond to emergencies during construction, operation, and decommissioning of the project including fire suppression, general emergency/disaster response, police protection, and injuries to persons related to the project. Applicants shall provide written evidence that applicable fire suppression, police protection, and emergency medical service providers approve of such plan with training and equipment needed. (added 1-6-2022)
- g. *Complaint Resolution Plan:* A written plan that outlines a complaint resolution process to allow members of the public to file written complaints regarding alleged Zoning Ordinance or Township approval violations that allows an applicant or operator of a project to either remedy such complaints or to otherwise respond to the complaints. A complaint resolution plan must detail how an applicant or operator will: (1) establish a form for complaints; (2) make contact information publicly available for complaints; and (3) report complaints and actions taken by the applicant and/or operator to the Township at a monthly basis (resolved complaints over 12 months old shall not continue to be reported to the Township). The complaint resolution process may use an independent mediator or arbitrator and shall not exceed 30 days unless authorized by the Township in writing. The process may not preclude the Township from independently acting on a complaint before a response from an applicant or owner of a Wind Energy Facility.
- h. *Application Escrow Account:* An escrow account shall be funded by the applicant when the applicant applies for a special land use permit for a Wind Energy Facility. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with the special land use permit review and approval process (including site plan review), which costs include, but are not limited to, reasonable fees of a Township attorney, planner, or engineer, as well as costs for any other outside consultants or reports or studies which the Township determines are related to the zoning review process for a particular application. Such escrow amount shall be in addition to any non-refundable application fees determined by the Township. At any point during the special land use permit process, the Township may require that the applicant place additional monies in escrow with the Township should the existing escrow amount filed by the applicant prove insufficient. If the escrow account needs replenishing and the applicant refuses to do so within 45 days, the special land use permit review and approval process shall cease until and unless the applicant makes the required escrow deposit. Such application escrow shall be held by the Township Treasurer in a separate bank account, and upon completion of Township zoning review, all excess funds must be returned to an applicant without interest.

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- i. *Non-Refundable Application Fee:* An applicant for a Wind Energy Facility shall remit a fee in the amount specified in the approved schedule adopted by resolution of the Township Board. This schedule shall be based on the cost of the Township of the review, which may be adjusted from time-to-time.
- j. *Transportation Plan:* Applicants shall submit to the Township and either the Montcalm County Road Commission or Michigan Department of Transportation (as appropriate) a description of the routes to be used by construction and delivery vehicles; any road improvements that will be necessary to accommodate construction vehicles, equipment, or other deliveries; and proof of a performance guarantee acceptable to the appropriate agency in an amount necessary to ensure repair of any damage to the public roads caused by construction of a Wind Energy Facility or any of its elements.
- k. *Shadow Flicker Analysis:* A document indicating anticipated Shadow Flicker generated by each Utility Wind Turbine as part of a proposed Wind Energy Facility and demonstrating how a proposed project will meet Shadow Flicker Ordinance requirements. Should a project be approved and constructed under this Ordinance, applicants shall prepare a post-construction Shadow Flicker analysis in a form acceptable to the Township demonstrating that a Wind Energy Facility as constructed meets all Shadow Flicker requirements.
- l. *Sound Study Analysis:* A document outlining anticipated Sound Pressure Levels generated by each Utility Wind Turbine and components thereof in a proposed Wind Energy Facility and demonstrating how a proposed project will meet sound requirements in this Ordinance. Should a project be approved and constructed under this Ordinance, applicants shall prepare a post-construction sound study in a form acceptable to the Township demonstrating that a Wind Energy Facility as constructed meets all sound requirements.
- m. *Decommissioning Analysis:* A document outlining anticipated decommissioning costs associated with a proposed Wind Energy Facility in accordance with this Ordinance that includes an itemized list of the basis of such costs by category (e.g., removal of Utility Wind Turbine foundations).
- n. *Local, State, and Federal Laws, Rules and Regulations:* Applicants shall show evidence of compliance or future compliance with applicable local, state, and federal laws, rules and regulations including, but not limited to:
  - i. Part 31 Water Resources Protection (MCL 324.3101 *et seq.*);
  - ii. Part 91 Soil Erosion and Sedimentation Control (MCL 324.9101 *et seq.*), and the corresponding County Ordinance;
  - iii. Part 301 Inland Lakes and Streams (MCL 324.30101 *et seq.*);

- iv. Part 303 Wetlands (MCL 324.30301 *et seq.*); and
  - v. Completed U.S. Fish & Wildlife ETP (Incidental Eagle Take Permit) for Bald & Golden Eagle Protection 1-6-22
  - vi. All other applicable laws, rules, and regulations in force at the time of an application.
3. Visual Appearance, Lighting, and Power Lines: Applicants shall use measures to reduce the visual impact of Wind Energy Facilities, Wind Energy Conversion Systems, and their associated components to the extent reasonably possible, utilizing the following:
- a. *Maintenance*: Wind Energy Conversion Systems shall be mounted on tubular towers, painted a non-reflective, non-obtrusive color. The appearance of turbines, towers, and buildings shall be well-maintained throughout the life of the Wind Energy Facility (i.e., condition of paint, signs, landscaping, etc.).
  - b. *Lighting and ADLS*: A lighting plan for a Wind Energy Facility must be approved by the Township. Such plans must describe all lighting that will be utilized, including any lighting that may be required by the FAA. Such a plan shall include the planned number and location of lights, light color, and whether any lights will be flashing. All tower lighting must comply with FAA regulations and shall be consistent with any requirements from other local, state, or federal agencies, including the Michigan Department of Natural Resources and United States Fish and Wildlife Service. As part of the lighting plan, applicants must submit to the Township for approval detailed plans to install an Aircraft Detection Lighting System (ADLS) that manages a proposed Wind Energy Facility's lighting to reduce illumination. ~~when unnecessary unless an applicant demonstrates that an applicable local, state, or federal entity prohibits use of ADLS on a particular project.~~
  - c. *Physical Appearance*: Utility Wind Turbines shall not be used for displaying any advertising except of reasonable identification of the manufacture or operator of the Wind Energy Facility.
  - d. The electrical collection system shall be placed underground at a depth designed to accommodate the existing agricultural land use to the maximum extent practicable. The collection system may be placed overhead from substations to points of interconnection to the electric grid or in other areas as necessary.
4. Setbacks, Separation, and Security: The following setbacks and separation requirements shall apply to all Utility Wind Turbines within a Wind Energy Facility.

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- a. *Shadow Flicker Minimization:* Utility Wind Turbines shall be placed such that Shadow Flicker to any Occupied Building occurs no more than 30 hours per year unless the Occupied Building is on a Non-Participating Lot. There shall be zero Shadow Flicker on Non-Participating Lots (measured from a Non-Participating Lot's lot lines). An applicant may submit a written and signed waiver acceptable to the Township of a property owner that owns property on a Non-Participating Lot waiving them from a zero Shadow Flicker requirement or a property owner with an Occupied Building not located on a Non-Participating Lot waiving them from the 30-hour Shadow Flicker requirement.
  - b. *General Property Line Setbacks:* Except as set forth in this Ordinance, Utility Wind Turbines and associated improvements shall be subject to property line setbacks. Utility Wind Turbines and access roads shall be located so as to minimize the disruption to agricultural activity and, therefore, the location of towers and access routes is encouraged along internal property lines. Utility Wind Turbines shall not be located within 1.5 times its Tip Height of an Occupied Building not located on a Non-Participating Lot unless an applicant provides a written and signed waiver of such setback requirement from the current owner of the Occupied Building acceptable to the Township.
  - c. *Non-Participating Lot Setbacks:* Utility Wind Turbines shall not be located within three (3) times its Tip Height of the property line of a Non-Participating Lot.
  - d. *Lake Setbacks:* Utility Wind Turbines must be located at least a minimum of one (1) ~~half (1/2)~~ mile from the back property line surrounding the edge of the following identified lakes ~~(as measured by their ordinary high-water mark)~~ in the Township: Muskellunge, Cowden, Coady, Rocky, Barnard, Picnic, Black, Cranberry, Spruce, Mahaney, Ward, Mosquito, and Winfield Lakes. A waiver may be signed and filed with the Township / County for all property owners surrounding the lakes to waive the distance of the set back.
  - e. *Public Road Setbacks:* Each Utility Wind Turbine shall be set back from the nearest public road a distance no less than 400 feet or 1.5 times its Tip Height, whichever is greater, determined at the nearest boundary of the underlying right-of-way for such public road.
  - f. *Railroads or "Rails to Trails" Setbacks:* Each Utility Wind Turbine shall be set back from the nearest Railroad or "Rails to Trails" a distance no less than 400 feet of 1.5 times its Tip Height, whichever is greater, determined at the nearest boundary of the underlying right-of-way for such Railroad or "Rails to Trails."
5. Compliance with Wind Energy Site Plan and Special Land Use Permits: Following the completion of construction of a Wind Energy Facility, applicants must certify that



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all construction is completed pursuant to zoning approvals including approved site plans and special land use permits.

6. Utility Wind Turbine Height: Applicants shall demonstrate compliance with the Michigan Tall Structures Act (MCL 259.481 *et seq.*), FAA requirements, and local airport zoning as any zoning approval process. Utility Wind Turbines may not exceed 500 feet in height, measured at the highest point of the tip of a fully vertical rotor blade from ground level.
7. Noise: Wind Energy Facilities ~~shall not exceed~~ will be 45 dB(A) **L<sub>max</sub>** at the property lines of Non-Participating Lots or 55 dB(A) **L<sub>max</sub>** at Occupied Buildings **not** located on Non-Participating Lots. This Sound Pressure level may be exceeded during short-term events such as utility outages and/or severe windstorms.
8. Minimum Ground Clearance: The blade tip of any Utility Wind Turbine shall, at its lowest point, have ground clearance of not less than **one hundred (100) feet**.
9. Signal Interference: No Wind Energy Facility shall be installed in a location where its proximity to existing fixed broadcast, retransmission, or reception antennas for television, radio, or wireless phone or other personal communication systems would interfere with such existing communications systems.
10. Safety:
  - a. All collection system wiring shall comply with all applicable safety and stray voltage standards.
  - b. Utility Wind Turbines shall not be climbable on the exterior.
  - c. All access doors to Utility Wind Turbine towers and electrical equipment shall be lockable and locked when not in use.
  - d. Appropriate warning signals shall be placed on Utility Wind Turbine towers, electrical equipment, and Wind Energy Facility entrances.
  - e. Appropriate signage for emergency contact information shall be located at each Utility Wind Turbine tower.
  - f. Applicants and operators of a Wind Energy Facility must adhere to all provisions of a submitted Emergency Response Plan.

11. Roads: Any material damages to a public road located within the Township resulting from construction, maintenance, operation, or decommissioning of a Wind Energy Facility including all of its components shall be repaired at the applicant's expense.
12. Liability Insurance: The applicant shall insure a Wind Energy Facility at all times, including during construction, operation, and decommissioning of a project, and shall maintain such insurance on its own behalf and on the behalf of the Township listed as additionally insured, with limits of liability not less than \$2,000,000.00 (two million dollars) per occurrence for damages to persons and property (to be adjusted annually to an amount equivalent to ~~2021~~ current dollars based on CPI). A copy of the insurance policy ~~shall~~ will be provided annually with proof of payment to the Township by the applicant.
13. Abandonment/Decommissioning: Any component of a Wind Energy Facility, including a Utility Wind Turbine, that is not used for the production of energy equal to at least 5% of the energy capacity described in the site plan for a period of 12 successive months or longer shall be deemed to be abandoned and shall be promptly decommissioned, unless the applicant receives a written extension of that period from the Zoning Administrator in a case involving an extended repair schedule for good cause. The applicant shall prepare an acceptable decommissioning agreement for submittal to the Township Board for review prior to issuance of the special land use permit that memorializes the decommissioning process outlined in this Ordinance including its required continuing decommissioning security. Under the plan, ground materials (at least 6 feet below the ground) must be removed offsite for disposal. No concrete, piping and other materials (less than 6 feet below the ground) may be left in place. The ground must be restored to a substantially similar agricultural (with comparable soil) condition, along with any tile or irrigation lines within 180 days of abandonment. The cost of such removal, decommissioning and restoration shall be borne solely by the applicant or its successor(s) or assign(s).
14. Continuing Security and Escrow: If any Wind Energy Facility is approved for construction under this Ordinance, an applicant shall be required to post continuing security and a continuing escrow deposit of an amount prior to commencement of construction, which shall remain in effect until all components of the Wind Energy Facility have been finally removed, as provided below:
  - i. *Continuing Decommissioning Security*: If a special land use permit is approved pursuant to this section, the Township Board shall require security in the form of a cash deposit, irrevocable letter of credit, or surety bond in a form, amount, time and duration deemed acceptable to the Township, which will be furnished by the applicant to the Township in order to ensure full compliance with this Ordinance and all conditions of approval. When determining the amount of each required security, the Township may also

require an annual cost escalator or increase based on the Consumer Price Index (or other appropriate cost index). Such financial guarantee shall be deposited or filed with the Township Clerk after a special land use permit has been approved but before construction commences of the Wind Energy Facility. At minimum, the financial guarantee shall be in the amount determined by the Township to be reasonably sufficient to have each Utility Wind Turbine fully removed (all components properly disposed of and land returned to a substantially similar state) should such structure or structures become abandoned, dangerous or obsolete, or not in compliance with this ordinance or the special land use permit. Such financial security shall be kept in full force and effect during the time a Utility Wind Turbine or component thereof exists or is in place, and such financial security shall be irrevocable and non-cancelable (except by the written consent of both the Township and the owner of the Wind Energy Facility). The Continuing Decommissioning Security shall be reviewed and updated every three (3) years to adjust for changes of costs associated with decommissioning. The Township may hire a third-party engineering firm or other necessary consultant to determine decommissioning costs at an applicant's expense.

- ii. *Continuing Enforcement Escrow Deposit:* A continuing escrow deposit to be held by the Township shall be funded in cash by the applicant prior to the commencement of construction of any Wind Energy Facility and shall be maintained by the Wind Energy Facility owner until the Wind Energy Facility has been permanently removed. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with continuing enforcement of the Ordinance and any terms of a special land use permit including conditions, which costs can include, but are not limited to, reasonable fees for legal, planning, and engineering expenses incurred by the Township, as well as costs for any reports or studies which the Township determines are reasonably related to enforcement of the Ordinance and the special land use permit. If the Township is required to expend any portion of the escrow deposit or if the existing escrow amount paid by the applicant proves to be insufficient to cover the Township's enforcement costs, the Township may require the Wind Energy Facility owner to place additional monies into escrow with the Township. If the Escrow Deposit amount falls below a minimum amount determined by the Township, the owner of the Wind Energy Facility has 30 days to replenish the account back up to the minimum amount. All continuing escrow deposit funds unused by the Township shall be returned without interest once a Wind Energy Facility is decommissioned.
- iii. *Continuing Obligations:* A Wind Energy Facility failing to keep a Continuing Decommissioning Security or Continuing Enforcement Escrow Deposit in full

force and effect at all times while a Wind Energy Facility exists or is in place shall constitute a material and significant violation of a special land use permit and this Ordinance and will subject the Wind Energy Facility owner to all remedies available to the Township, including possible enforcement action and revocation of the special land use permit.

15. Environmental Impact Assessment: At the Township’s reasonable request, an applicant shall fund an environmental assessment or impact study and/or other relevant report(s) or studies (including, but not limited to, assessing the potential impact on ground water, wetlands, endangered species, eagles, birds, plants, and/or other wildlife) as deemed necessary by the Township for review by the Township regarding the Wind Energy Facility or surrounding areas. Assessments or studies shall be conducted by an independent third party selected by the Township and shall be paid for by the applicant. Each study or report shall be provided to the Township prior to the time for issuance of a special land use permit.

**Article 3. Savings Clause.** Except as expressly amended or repealed by this Ordinance, the balance of the Maple Valley Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

**Article 4. Severability.** The provisions of this Ordinance are declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.

**Article 5. Effective Date.** This Ordinance shall become effective seven (7) days after publication of a notice of adoption of this Ordinance, except as otherwise provided by MCL 125.3402.

**Article 6. Repeal.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

The vote to adopt this Ordinance was as follows:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN: \_\_\_\_\_

ORDINANCE DECLARED ADOPTED.

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John Schwandt, Maple Valley Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Maple Valley Township Board at a duly scheduled and noticed meeting of that Township Board held on \_\_\_\_\_, 2022, pursuant to the required statutory procedures.
2. A Notice of Adoption of the above Ordinance was duly published in the \_\_\_\_\_ newspaper, a newspaper that circulates within Maple Valley Township, on \_\_\_\_\_, 2022.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the Ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Montcalm County Clerk on \_\_\_\_\_, 2022.

ATTESTED:

\_\_\_\_\_  
Cathy Benson, Maple Valley Township Clerk

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**MAPLE VALLEY TOWNSHIP, MONTCALM COUNTY, MICHIGAN**

**ORDINANCE AMENDING MAPLE VALLEY TOWNSHIP ZONING ORDINANCE  
TO REGULATE WIND ENERGY FACILITIES**

**ORDINANCE NO. \_\_\_\_**

**NOTICE OF ADOPTION**

Please take notice that on \_\_\_\_\_, 2022, the Township Board of Maple Valley Township adopted Ordinance No. \_\_, which amends the Maple Valley Township Zoning Ordinance to regulate the development and use of Wind Energy Facilities within the Township. Copies of the Ordinance may be obtained from Shirley Sanders, Maple Valley Township Clerk, at 4662 N. Bailey Road, Coral, MI 49322.

The Ordinance provides, in summary, for the issuance of special land use approvals and site plan review for Wind Energy Facilities within the A-1, Agricultural District pursuant to procedures and standards within the Ordinance and the balance of the Zoning Ordinance. The Ordinance has the following articles: Article 1: Amends Sec. 408.B of the Zoning Ordinance to allow “Wind Energy Facility” by special land use approval within the A-1, Agricultural District; Article 2: Adds a new Section 733 to the Zoning Ordinance, entitled “Wind Energy Facilities” to create standards that apply to the issuance of special land use approvals and the approval of site plans for Wind Energy Facilities; Article 3: Savings Clause; Article 4: Severability; Article 5: Effective Date, which is seven (7) days after publication of this notice of adoption or as otherwise provided by MCL 125.3402; and Article 6. Repeal.

Published by Order of the Township Board  
Maple Valley Township, Montcalm County

Cathy Benson, Township Clerk  
(231) 354-6774

Publication Date: \_\_\_\_\_, 2022