

LOVELLS TOWNSHIP

RESOLUTION ON THE APPROVAL OF A NEW COMPATIBLE RENEWABLE ENERGY ORDINANCE (CREO) WITHIN LOVELLS TOWNSHIP

WHEREAS, the State of Michigan's Township Zoning Act (Act 184 of the Public Acts of 1943), as amended and the Michigan Zoning Enabling Act (Act 110 of the Public Acts of 2006), as amended) authorizes a township board to enact ordinances necessary to provide for the health and safety of people within the Township.

WHEREAS the Lovells Township Board is aware of increased development activity throughout Michigan and surrounding Midwestern communities involving large-scale Renewable Energy facilities; and

WHEREAS, Renewable Energy facilities can involve substantial land areas, hazardous materials, fire danger, noise levels, runoff and glare issues, fencing and large structures that may visually/materially impact surrounding properties and public infrastructure; and

WHEREAS, the Lovells Township Zoning Ordinance does not currently specifically define or regulate Utility Scale Renewable Energy Facilities as a distinct land use category due primarily to the State of Michigan's ability to override local ordinances when desired and

WHEREAS, the Lovells Township Board finds that it is beneficial to the public health, safety, and welfare of its residents to join with other Crawford County Townships in a coordinated approach to CREOs to ensure appropriate location, design, and operational standards; and

BE IT RESOLVED, by the Lovells Township Board, that a CREO be ordained and added to the Lovells Township Zoning Ordinance.

BE IT FURTHER RESOLVED, that an aggrieved property owner or business owner may request and be entitled to a hearing by the Lovells Township Board for the purpose of attempting to demonstrate that the moratorium will preclude all viable economic use of their property or otherwise violate applicable provisions of state or federal law. Said petitioner shall, in writing and directed to the Township Clerk, request a hearing that describes the grounds of the request. The hearing shall be held during a Lovells Township Board meeting within forty-five (45) days of receipt of the request. Upon concluding the hearing, the Township Board shall determine whether the petitioner has made the required demonstration and if so, shall grant relief from the moratorium.

BE IT FURTHER RESOLVED, that notice of this Resolution shall be posted at the Township Hall and on the Township website throughout the moratorium period, or any extension granted herein.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Lovells Township Board at a regular meeting on _____ Date.

Janet Dunning Township Clerk

Date