

**TOWNSHIP OF CEDAR CREEK**  
**COUNTY OF MUSKEGON, MICHIGAN**

At a regular meeting of the Township Board of the Township of Cedar Creek, held in the Township Hall, 6556 Sweeter Rd, Twin Lake, Michigan, on the 12<sup>th</sup> day of August, 2019, at 7:00 p.m.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_.

ABSENT: \_\_\_\_\_.

The following ordinance was offered by Member \_\_\_\_\_ and seconded by Member \_\_\_\_\_.

**ORDINANCE NO. 2019-01**

**AN ORDINANCE TO AMEND THE TOWNSHIP ZONING ORDINANCE**

**[Special Events – Solar Energy Systems – Wind Energy Amendment]**

THE TOWNSHIP OF CEDAR CREEK ORDAINS:

Section 1.     **Definitions.** Section 2.19 Definitions – S. is hereby amended to add alphabetically:

**Special Event Venue.** A venue for weddings, fundraisers, parties and other special events held at least partially within the confines of an enclosed or covered structure.

Section 2.     **Special Event Venue – AG District.** Section 5.3 of the Cedar Creek Township Zoning Ordinance is hereby amended to add:

O.     Special Events Venue.

Section 3.     Chapter 15 of the Cedar Creek Township Zoning Ordinance is hereby amended to add a new section II and to re-letter the remaining sections accordingly:

**15.6(II)       Special Event Venue.**

1.     **Regulations and Conditions.** Special Event Venues shall be subject to the following requirements:

- a. Minimum parcel size for special events shall be ten (10) acres, with a minimum 200' buffer on all sides not abutting a public road. Commercial activities shall not take place within the buffer area. If possible, crops shall remain within the buffer area to maintain the agricultural character of the site.
- b. The applicant shall provide proof of water and sanitation facilities required by County Health Department. If food and beverage is to be served, the applicant shall provide proof of approval by County Health Department.
- c. The applicant shall provide proof of dumpster/garbage containers.
- d. If liquor is to be served, proof of license from Liquor Commission.
- e. The applicant shall provide proof of liability insurance with limits not less than \$1,000,000/\$3,000,000 and property damage insurance naming the township as additionally insured.
- f. In no case shall any event authorized under the terms of this ordinance cause or result in any serious adverse effect on adjacent or nearby lands by reason of excessive sound.
- g. Special events shall be incidental and accessory to the primary residential/agricultural land use and shall not include any overnight guests except as approved in special use permit.
- h. All signs shall comply with the provisions of Chapter 15.
- i. Parking area for special event patrons shall be on a flat surface and durable enough to withstand the event traffic.
- j. Any structures utilized for the event(s) shall be in compliance with the Michigan Building Code per the Building Inspector's review. To carry out the intention to allow for the use of existing agricultural and other buildings as Special Event Venues, not to promote construction of new buildings for commercial purposes, the event shall be conducted in a building which has been in existence at least ten years from the date of adoption of this ordinance.
- k. The property shall be maintained in a manner consistent with the general characteristics of the neighborhood.
- l. The owner shall provide the Township with the name, phone number and other contact information of the person who will be responsible and in charge of the property during all events to address any problems or issues which may arise.

- m. All events shall be on an invitation basis, and events shall not be advertised or open to the general public.
- n. Prior to the approval of application, the Planning Commission may impose any other condition(s) reasonably calculated to protect the health, safety, welfare and property of attendants or citizens of the township.

Section 4. Chapter 3 of the Cedar Creek Zoning Ordinance is hereby amended to add a new section 3.27 to read as follows:

### **Section 3.27 Solar Energy Systems**

This ordinance is intended to provide for regulation of the construction, installation, and operation of Solar Energy Systems (SEs) in a manner that ensures the protection of the health, safety and welfare of the residents of Cedar Creek Township while promoting the effective and efficient use of solar energy systems. Building mounted and ground mounted solar energy systems, as defined in this ordinance, shall comply with the provisions of this section.

**A. Definition.** The components and subsystems required to convert solar energy into electric or thermal energy suitable for use. The area of the system includes all the land inside the perimeter of the system, which extends to any fencing. The term applies, but is not limited to, solar photovoltaic (PV) systems, solar thermal systems and solar hot water systems.

**B. Building-mounted** solar energy collectors shall be permitted in all zoning districts in accordance with the provisions of this section.

1. A building permit is required before installation of any type of solar energy collector with the exception of solar lights.
2. Solar panels shall be permitted as a rooftop installation in any zoning district.
3. Solar energy collectors that are roof-mounted, wall-mounted or are otherwise attached to a building or structure shall be approved by an engineer. Three copies of prints (one sheet with seal), minimum size 11" x 17", from an architect, drawn to scale shall be submitted to the Building Official prior to installation and shall be subject to the Building Official's approval before issuance of a building permit.
4. Solar energy collectors that are wall-mounted shall not exceed the height of the building wall to which they are attached.
5. The exterior surfaces of solar energy collectors that are mounted on the roof or on a wall of a building, or are otherwise attached to a building or structure, shall be substantially non-reflective of light.
6. Solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer's directions. A copy of such directions shall be submitted to the Township Building Official prior to installation. The Building Official shall inspect the completed installation to verify compliance with the manufacturer's directions.

7. Solar energy collectors, and the installation and use thereof, shall comply with the most recently adopted Michigan Building Code, National Electrical Code, and all other applicable local codes.

**C. Ground-mounted** solar energy array and/or farm requirements. A ground mounted solar energy array and/or farm shall be a permitted only as a special land use, upon approval by the Planning Commission, and only in the AG, FR-1, LDR, GC and IND zoning districts, in accordance with the provisions of this section. Zoning approval is required prior to application for a building permit.

1. Ground-mounted solar energy arrays and/or farms shall be located only as follows:

- a. In the rear yard, the side yard, or behind the required front yard. The setback distance required shall be the same as the required setback distance for accessory structures for the zoning district located in.

2. Ground-mounted solar energy arrays and/or farms shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment.

3. Solar energy collectors shall be permanently and safely attached to the ground. Three copies of prints (one sheet with seal), minimum size 11" x 17", from an architect, drawn to scale shall be submitted to the Building Official prior to installation and shall be subject to the Building Official's approval before issuance of a building permit.

4. Solar energy collectors shall be installed, maintained and used only in accordance with the manufacturer's directions. A copy of such directions shall be submitted to the Township Building Official prior to installation. The Building Official shall inspect the completed installation to verify compliance with the manufacturer's directions.

5. Ground-mounted solar energy arrays and/or farms, and the installation and use thereof, shall comply with the most recently adopted Michigan Building Code, National Electrical Code, and all other applicable local codes.

**D. Solar access requirements.** Solar Access: The Township makes no assurance of solar access other than the provisions of this Article. It is the applicant's responsibility to obtain any necessary covenants or easements from abutting property owners to ensure access to solar energy.

**E. Decommissioning/Abandonment**

1. A SES shall be deemed abandoned if it is out of service for a continuous 12-month period.
2. A "Notice of Abandonment" will be issued to the owner advising them that the SES shall be removed at the owner's expense within three months of the date of notice.
3. Removal shall require a demolition permit, and the demotion will consist of removal of panels, non-utility owned equipment, conduit, structures, and foundations.

4. Upon removal of a ground array SES, the site shall be cleaned and restored to blend with the existing surrounding vegetation at the time of abandonment.
5. Failure by the owner(s) to complete removal within the three months' time period may result in the Township Board designating a contractor to complete decommissioning with all the expenses thereof charged to the violator and to become a lien against the premises.

Section 5. Chapter 15 is hereby amended to read as follows:

UU. 3(d). A proper buffer or greenbelt to screen the use from any adjacent residential use or district and the public road as outlined in Section 3.17 to insure no shadow flicker nuisance.

15.UU.9. The Township hereby reserves the right to require a bond prior to issuing any WECS or testing facility special land use permit for reimbursement of any fees incurred to repair the roadway damaged by installation of such system or facility.

Section 6. This ordinance shall be effective seven days after publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: \_\_\_\_\_

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

ORDINANCE DECLARED ADOPTED. \_\_\_\_\_

Stephanie Kuziak, Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Cedar Creek Township Board at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

\_\_\_\_\_  
Stephanie Kuziak, Township Clerk