

ARTICLE XXIV MET TOWER

SECTION 24.01 PURPOSE

For purposes of this Section a MET Tower is a meteorological tower used for the measurement of wind speed and may be permitted as a Special Use in all zoning districts subject to the regulations and requirements of this section and also the Special Land Use Specific Requirements of Article XIV, Section 14.04 of this Zoning Ordinance.

SECTION 24.02 APPLICATION REQUIREMENTS

An applicant for a MET Tower shall submit an application in accordance with the Special Land Use requirements of Section 14.04 of this Ordinance and shall also submit the following materials;

- (1) A description of the number and type of MET tower(s) to be installed and the expected length of time that the MET tower will be operable.
- (2) A description of the height of the MET Tower as well as standard drawings of the structural components of the MET Tower including structures, towers, bases, and footings. A registered engineer shall certify the drawings and any necessary calculations that show that the system complies with all applicable local, state, and federal building, structural and electrical codes.
- (3) An explanation of the purpose of the tower, the type, height and number of wind energy systems anticipated to be proposed for installation on the site or nearby.
- (4) A statement from the applicant that the MET tower will be installed in compliance with the manufacturer's specifications and a copy of the manufacturer's specifications.
- (5) A description of the tower maintenance program.
- (6) A decommissioning plan explaining the process to be undertaken by the applicant for tearing down the tower and removing all tower equipment, materials and structures and restoring the site so it can be used for a use permitted in that Zoning District.
- (7) Security measures including emergency contact personnel.
- (8) Ten copies of a site plan drawn at a scale of not more than one inch equals 100 feet however a larger scale may be accepted by the Planning Commission depending upon the size of the parcel. The site plan shall contain at a minimum the following information unless specifically waived by the Planning Commission.

- (a) The date on which the site plan was prepared.
- (b) A north arrow and legal description of the property.
- (c) Property lines and dimensions of the parcel containing the tower, as well as the area leased for the tower if applicable, the height of the MET tower and its distance to all property lines.
- (d) Any buildings or structures existing on the site and the use of the parcel.
- (e) The distance to the closest building on adjacent property.
- (f) The location of any overhead transmission lines on the site or on adjacent property which might be affected by the MET tower
- (g) Guy wires, guy wire anchors and any other tower supporting structure or device.
- (h) Type and height of fencing to be installed around the tower or an equipment building.
- (i) Elevation drawings of any buildings designed to serve the tower.
- (j) Access road; width and construction standards.
- (k) Any lighting proposed to be located on the tower.

SECTION 24.03 GENERAL REQUIREMENTS

A MET tower shall comply with all of the following:

- (1) The tower shall be setback from all property lines a distance of not less than 1.25 times the height of the tower as measured from the base of the tower.
- (2) All applicable state construction and electrical codes and local building permit requirements.
- (3) Federal Aviation Administration requirements. All tower lighting required by the FAA shall be shielded to the extent possible to reduce glare and visibility from the ground. The tower shaft shall not be illuminated unless required by the FAA, and the minimum FAA lighting standards shall not be exceeded.
- (4) The Michigan Airport Zoning Act (Public Act 23 of 1950).
- (5) The Michigan Tall Structures Act (Public Act 259 of 1959).
- (6) A MET tower which is unused or abandoned shall be removed, along with any associated buildings and structures, by the owner/operator within 90 days of the date of a written notice from the Township. An extension of 90 days may be granted by the Planning Commission upon a request from the owner/operator citing extenuating circumstances beyond their control in removing the tower within the initial 90 day period.
- (7) In removing the tower the owner/operator shall comply with the decommissioning plan submitted by the applicant and as approved by the Planning Commission.

SECTION 24.04 PLANNING COMMISSION REVIEW

The Planning Commission shall review the proposed MET tower according to the standards for Special Land Uses contained in Section 14.04 herein. The Commission may approve a MET tower for a specified period of time subject to renewal by the Planning Commission.

The Commission may impose reasonable conditions in its approval of a MET tower in accordance with Article XIV herein including but not limited to a requirement that the applicant provide regular reports regarding the maintenance and condition of the tower.

In approving a MET Tower the Commission shall require that the applicant provide a performance guarantee in a form and amount acceptable to the Township for the cost of removing the MET tower and restoration of the site

SECTION 24.05 REPEAL

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of any such conflict.

SECTION 24.06 SEVERABILITY

The various parts, section, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance will not be affected thereby.

SECTION 24.07 EFFECTIVE DATE

This Ordinance shall take effect seven days after its publication as provided by the provisions of the Michigan Zoning Enabling Act, MCLA 125.3401, et seq.