

RESOLUTION NO. 03-25-01

**A RESOLUTION TO ADOPT A LIMITED MORATORIUM TO
ALLOW WEARE TOWNSHIP TIME TO PREPARE A SOLAR ENERGY ORDINANCE**

IT IS RESOLVED that the Weare Township Board adopt a limited moratorium to allow Weare Township to adopt a solar energy ordinance, as will be presented.

This Resolution was offered by Paul Duncan and supported by Lane Stotter at a Weare Township Board meeting held on March 31st, 2025.

The Roll Call Vote being as follows:

YES: Byron Miller-Yes, Lane Stotter-Yes, Jill Vanderzanden-Yes,
Melanie Sayles-Yes, Larry Doran-Yes

NO: None

ABSENCE: None

RESOLUTION IS DECLARED ADOPTED

CERTIFICATION STATEMENT

This Resolution is hereby declared to have been passed and adopted by Weare Township, County of Oceana, State of Michigan, at a Special meeting duly called and held on this 31st day of March, 2025.

Melanie Sayles,

Melaine Sayles,
Weare Township Clerk

SUGGESTED ORDINANCE SUMMARY FOR PUBLICATION – it must be published within 30 days of the Ordinance’s adoption in a newspaper in general circulation in Weare Township.

ORDINANCE NO. 03-25-01

AN ORDINANCE TO ESTABLISH A LIMITED MORATORIUM TO ALLOW WEARE TOWNSHIP TIME TO ADOPT A SOLAR ENERGY ORDINANCE

An ordinance to establish a limited moratorium so Weare Township can have adequate time to amend the Weare Township Zoning Ordinance to regulate large scale solar development.

THE TOWNSHIP OF WEARE, OCEANA COUNTY, MICHIGAN, ORDAINS:

Background. The Township has witnessed the development of solar and other renewable energy within the surrounding communities and in the state. It has adopted Wind Energy Conversions, has reviewed other renewable energy regulations, and is now aware of new state law that could fully regulate solar energy development, and possibly preempting township authority. Weare Township has become aware of 800 acres in the Township being awarded for future solar development. Because of impending development, the Township sees an immediate need to regulate large or industrial scale solar development, without outside interference or pressure. The Township Board has directed the Planning Commission to prepare such an amendment to the Weare Township Zoning Ordinance.

Section 1: Purpose. To allow the Weare Township Planning Commission to have adequate and undisturbed time to prepare and recommend a Zoning Ordinance amendment for large-scale or industrial-scale solar development, which will provide protection and will better secure the public’s health, safety, and general welfare of the Township.

Section 2: Moratorium Period. The Township Board imposes a limited moratorium on issuing zoning permits and authorizing building permits for large scale or industrial scale solar energy development for a period of six to nine months. The Planning Commission shall work with others and will encourage comments and recommendations, while being mindful of the state law that now guides the development of such facilities. This moratorium shall not apply to wind generation-based operations. Any applications made for solar development shall be held in abeyance until such ordinance is adopted and effective or by December 31, 2025.

Section 3: Enforcement. This ordinance is enforced by the Township Board.

Section 4: Effective Date and Adoption. The ordinance is effective the day after publication.

ADOPTED ON March 31st, 2025 and EFFECTIVE the day after this publication.

COPIES OF THE MORATORIUM ORDINANCE are Available for Inspection at the Weare Township Offices, Located at: 6506 N. OCEANA DRIVE, HART, MI 49420,

OR by CONTACTING Melanie Scyles at 231-301-0071

ORDINANCE NO. 03-25

**AN ORDINANCE TO ESTABLISH A LIMITED MORATORIUM TO
ALLOW WEARE TOWNSHIP TIME TO ADOPT
A SOLAR ENERGY ORDINANCE**

An ordinance to ESTABLISH A LIMITED MORATORIUM TO ALLOW WEARE TOWNSHIP TO ADOPT A SOLAR ENERGY ORDINANCE within Weare Township, Oceana County, Michigan; to provide time for the Weare Township Planning Commission to review, draft and recommend an ordinance to regulate large scale solar development; and to amend the Weare Township Zoning Ordinance, Ordinance No. 03-25, as authorized in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended (MCL 125.3101, *et seq.*).

THE TOWNSHIP OF WEARE, OCEANA COUNTY, MICHIGAN, ORDAINS:

Background:

1. Weare Township has witnessed the development of solar and other renewable energy facilities within the surrounding communities and in the state.
2. The Weare Township Zoning Ordinance regulates Wind Energy Conversions, and the Township Planning Commission has reviewed other renewable energy regulations, including battery storage.
3. Weare Township has over the past several months been discussing solar energy development in and around the Township, specifically activities in Hart Township and in Mason County. It is also aware of the adoption of Michigan Public Acts 233, 234, and 235 of 2023 setting up a new and controlling regime for renewable energy development that could take away powers from local government if they take no action to regulate renewable energy development.
4. Weare Township has just recently become aware of an auction that awarded Consumers Energy Corporation the winning bid on 800 acres in Weare Township for possible future solar development.
5. Weare Township now believes there is now an immediate need to complete the development of zoning regulations for large or industrial scale solar development, without outside interference or pressure by any prospective applicant for solar development approval.
6. By way of this Moratorium Ordinance the Weare Township Board is directing the Township Planning Commission to recommend a Zoning Ordinance amendment for such solar development.

Section 1: Purpose. To allow the Weare Township Planning Commission to have adequate and undisturbed time to prepare and recommend a Zoning Ordinance amendment for large-scale or industrial-scale solar development in Weare Township. Such an ordinance will provide protection and will better secure the public's health, safety, and general welfare of the Township; it will provide an

avenue for this development that avoids undue state control over solar development in Weare Township; and allows the Township to have full control of the development process within the law.

Section 2: Moratorium Period. In view of the above Background and in support of these Purposes:

2.1 The Weare Township Board now imposes a limited moratorium on issuing zoning permits and authorizing building permits for large scale or industrial scale solar energy development and similar or related structures and appearances for a period of six (6) to nine (9) months so it may complete a Solar Energy Systems Ordinance.

2.2 During this period the Weare Township Planning Commission shall work with its consultants, attorney and township staff; and will encourage comments and recommendations from other outside parties, including solar developers, the solar and energy industry and the general public.

2.3 The Weare Township Planning Commission will be mindful of the state law, regulations and guidelines that now guide the development of such facilities.

2.4 This moratorium shall not apply to wind generation-based operations, provided that they fully comply with the Weare Township's Zoning Ordinance's Wind Energy Conversion System, Section 13.04(Y). Nor will it prohibit discussions with developers and others regarding possible future developments so long as no formal application is made.

2.5 Any such application made for solar development covered by this moratorium shall be held in abeyance until such ordinance is adopted and effective, but no later than December 31, 2025.

Section 3: Enforcement. This ordinance shall be enforced by the Township Board through its Supervisor and Zoning Administrator.

Section 4: Effective Date and Adoption. This ordinance shall become effective the day after its publication as required by law.

ADOPTION CLAUSE

This Ordinance was offered by Paul Duncan and supported by Lane Stotler at a Special Weare Township Board meeting held on March 31, 2025. The Roll Call Vote being as follows:

YES: Byron Miller-Yes, Lane Stotler-Yes, Jill VanderZanden-Yes,
Melanie-Sayles-Yes, Larry Doran-Yes.
NO: None

ABSENCE: None

ORDINANCE IS DECLARED ADOPTED

CERTIFICATION STATEMENT

This ordinance is hereby declared to have been passed and adopted by Weare Township,
County of Oceana, State of Michigan, at a Special meeting duly called and held on this
31st day of March, 2025.

Melanie Sayles,
Melaine Sayles,
Weare Township Clerk