

**MANCHESTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE NO. 110**

THIRD CONTINUED UTILITY-SCALE SES MORATORIUM ORDINANCE

At a special meeting of the Township Board of Manchester Township, Washtenaw County, Michigan, (“Township”) held at the Manchester Township Hall, on the 16th day of February 2024, at 10:00 a.m., Thompson moved to adopt the following Ordinance, which motion was seconded by Jarvis.

An ordinance to continue the temporary moratorium on the approval, location, erection, construction, and/or installation of any Utility-Scale SES projects for a period of two hundred and seventy (270) days.

WHEREAS, the Township has adopted a zoning ordinance and other ordinances, including Zoning Ordinance Amendment No. 90 (“Solar Ordinance”) which regulates, among other things, the Utility-Scale SES land use. A Utility-Scale SES generally is a utility-scale solar energy project designed for generating electricity for off-site users; and

WHEREAS, the Township has applied the Solar Ordinance to zoning applications from developers desiring to locate a Utility-Scale SES in the Township. Due to concerns from the public and Township officials about appropriate regulations to regulate the Utility-Scale SES land use, among other issues associated with the Utility-Scale SES land use, the Township has engaged in a review of its existing Solar Ordinance to explore revising its regulations governing the Utility-Scale SES land use; and

WHEREAS, the Township has a legitimate purpose in addressing the proper design, size, location, and operation of Utility-Scale SESs in the Township; and

WHEREAS, the Township is reasonably concerned that continued application of the Solar Ordinance could cause future Utility-Scale SESs to be established in inappropriate or inadvisable locations within the Township; and

WHEREAS, it is appropriate to forestall such issues for the Township and to continue the temporary moratorium on such Utility-Scale SES land uses until any necessary revised regulations can be enacted; and

WHEREAS, the Township has determined that a moratorium is necessary to preserve the public peace, health, and safety by preventing the inappropriate location and establishment Utility-Scale SESs in the Township during the time needed to study, review, and potentially revise the Township’s current Solar Ordinance due to changed conditions within the Township; and

WHEREAS, the Township Board at its meeting on June 14, 2022, previously adopted Ordinance No. 96, the Ordinance Establishing Utility-Scale SES Moratorium, which placed a one-year temporary moratorium on the approval, location, erection, construction, and/or installation of any Utility-Scale SES projects to permit the Township to study, review, and potentially revise the regulations of the current Solar Ordinance; and

WHEREAS, the Township Board at its meeting on July 11, 2023, previously adopted the Continued Utility-Scale SES Moratorium Ordinance which extended the temporary moratorium on the permitting, consideration, approval, location, construction, and/or installation of any Utility-Scale SES projects for an additional one hundred eighty (180) days; and

WHEREAS, the Township Board at its meeting on December 12, 2023, previously adopted the Second Continued Utility-Scale SES Moratorium Ordinance which extended the temporary moratorium on the permitting, consideration, approval, location, construction, and/or installation of any Utility-Scale SES projects for an additional ninety (90) days; and

WHEREAS, the Township has worked towards updating its ordinances and regulations governing Utility-Scale SESs and requires additional time to review, revise and complete the necessary updates based on the passage of Michigan House Bill 5120; and

WHEREAS, recognizing the moratorium is temporary in nature, the Township Board desires to continue the moratorium period as specified for an additional two hundred and seventy (270) days to allow the Township to promulgate new regulations in accordance with Michigan House Bill 5120.

NOW, THEREFORE, Manchester Township, Washtenaw County, Michigan, Ordains:

Section 1. Title: This Ordinance shall be known and cited as the Third Continued Manchester Township Utility-Scale SES Moratorium.

Section 2. Moratorium: The Township extends the temporary moratorium on the permitting, consideration, approval, location, erection, construction, and/or installation of all Utility-Scale SESs in the Township besides the proposed Thorn Lake Utility-Scale SES project, which has applied for requisite zoning approvals before the enactment of this Ordinance, for an additional two hundred and seventy (270) days from the date the existing temporary moratorium is set to expire.

Section 3. Severability: The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

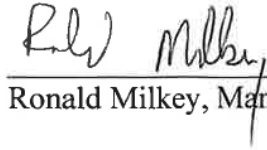
Section 4. Repeal: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Effective Date: This Ordinance shall take effect immediately after publication.

YEAS: Milkey, Thompson, Jarvis, Fusilier, Proctor

ABSENT: Moutinho, Seefeld

ORDINANCE DECLARED ADOPTED.



Ronald Milkey, Manchester Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Manchester Township Board at a special meeting of the Township Board held on February 16, 2024, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Manchester Mirror newspaper, a newspaper that circulates within Manchester Township, on February 21, 2024.
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.

ATTESTED:



Danell Proctor, Manchester Township Clerk

**MANCHESTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
THIRD CONTINUED UTILITY-SCALE SES MORATORIUM ORDINANCE**

**Ordinance No. 110
Notice of Adoption**

Please take notice that on February 16, 2024, the Township Board of Manchester Township adopted Ordinance No. 110, which continues the moratorium on the approval, location, erection, construction, and/or installation of the Utility-Scale SES land use (utility-scale solar energy projects designed for generating electricity for off-site users) in the Township for an additional 270 days in order to allow appropriate time to study and potentially adopt revised regulations governing Utility-Scale SES. This moratorium excludes the proposed Thorn Lake Utility-Scale SES project, which has applied for requisite zoning approvals before the enactment of this Ordinance. Copies of the Ordinance may be obtained from Danell Proctor, Manchester Township Clerk, at 275 S. Macomb St. Manchester, MI 48158 during regular business hours.

Published by Order of the Township Board
Manchester Township, Washtenaw County

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