

PINCONNING TOWNSHIP
BAY COUNTY, MICHIGAN
RESOLUTION NO. 23-05

**RESOLUTION EXTENDING A TEMPORARY MORATORIUM ON LARGE AND
MEDIUM SOLAR ENERGY SYSTEMS**

At a meeting of the Township Board of Pinconning Township, Bay County, Michigan, ("Township") held at the Pinconning Township Hall, on the 3rd day of August, 2023, at 4:00p.m., Whitney Beck moved to adopt the following resolution which motion was seconded by Beck.

A resolution for a temporary moratorium extension until January 15, 2024 or an earlier time in which the Township adopts new regulations governing Large Solar Energy Systems and Medium Solar Energy Systems and rescinds the temporary moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of any Large Solar Energy System or Medium Solar Energy System projects.

WHEREAS, the Township Zoning Ordinance regulates, among other things, the Large Solar Energy Systems land use. Large Solar Energy Systems are generally a utility-scale solar energy project designed for generating electricity for off-site users. Likewise, the Zoning Ordinance also regulates Medium Solar Energy Systems, which are larger solar energy projects that serve one user; and

WHEREAS; on November, 9 2022, the Township Board passed an ordinance to establish a temporary moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of any Large Solar Energy System or Medium Solar Energy System projects until the Township could draft new regulations to adequately regulate the land uses. This Ordinance, Ordinance Establishing Large and Medium Solar Energy Systems Moratorium, authorized extensions of its temporary moratorium by resolution; and

WHEREAS, the Township has a legitimate purpose in addressing the proper design, size, location, and operation of Large Solar Energy Systems and Medium Solar Energy Systems in the Township; and

WHEREAS, the Township is reasonably concerned that application of the Zoning Ordinance as it is currently written could cause Medium and Large Solar Energy Systems to be established in inappropriate or inadvisable locations within the Township; and

WHEREAS, efforts have been made to prepare and review ordinance amendments to more appropriately regulate Large Solar Energy Systems and Medium Solar Energy Systems, including a joint special meeting between the Planning Commission and Township Board on June 27, 2023 to solicit public input and utilize help from counsel; and

WHEREAS, it is appropriate to forestall such issues for the Township and to enact a temporary moratorium extension on Large Solar Energy Systems and Medium Solar Energy Systems until

the Township can draft proposed amendments for consideration of interested parties following the public hearing process under the Michigan Zoning Enabling Act; and

WHEREAS, the Township Board desires to adopt this resolution, which is necessary to preserve the public peace, health, and safety by preventing the inappropriate location and establishment of Large Solar Energy Systems and Medium Solar Energy Systems in the Township during the time needed to study, review, and potentially promulgate new regulations.

NOW, THEREFORE, THE PINCONNING TOWNSHIP BOARD RESOLVES

1. **Moratorium Extension:** The Township enacts an extension on the existing temporary moratorium on the application, permitting, consideration, approval, location, erection, construction, and/or installation of all Large Solar Energy Systems and Medium Solar Energy Systems in the Township until January 15, 2024 or an earlier time in which the Township adopts new regulations governing Large Solar Energy Systems and Medium Solar Energy Systems and rescinds the temporary moratorium. The Township Board may pass by resolution additional extensions of the temporary moratorium should the Township need additional time to promulgate appropriate regulations governing Large and Medium Solar Energy Systems.
2. All resolutions or parts of resolutions in conflict with this resolution are hereby repealed.
3. This resolution shall take immediate effect.

YEAS: 4

NAYS: 0

ABSENT/ABSTAIN: 0

RESOLUTION DECLARED ADOPTED.

Paul Pomaville
Paul Pomaville, Pinconning Township Supervisor

Certificate

I, Beverlene Hribek, the duly elected and acting Clerk of Pinconning Township, hereby certify that the foregoing resolution was adopted by the Township Board by a roll call vote at a meeting of the Board held on August 3, 2023, at which meeting a quorum was present; and that this resolution was ordered to take immediate effect.

Beverlene Hribek
Beverlene Hribek, Pinconning Township Clerk