

**WHITE RIVER TOWNSHIP
TOWNSHIP BOARD**

RESOLUTION NO. 72 - 2024

**RESOLUTION TO ADOPT ZONING ORDINANCE AND MAP AMENDMENTS
CREATING RENEWABLE ENERGY OVERLAY DISTRICT**

At a meeting of the Township Board for White River Township, Muskegon County, Michigan, held on September 10, 2024, at 7:00 p.m. at Nellie B. Chisholm Middle School, 4700 Stanton Boulevard, Montague, MI 49437.

PRESENT: Dufresne, Anderson, Harris, Sargent, Bailey

ABSENT: None

The following preamble and resolution were offered by Sargent and seconded by Harris.

WHEREAS, the Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 *et seq.*, as amended, authorizes townships to adopt and amend zoning ordinances to regulate the use of land and structures within their zoning jurisdictions; and

WHEREAS, White River Township (“Township”) has adopted such a zoning ordinance (“Zoning Ordinance”) and zoning map (“Zoning Map”); and

WHEREAS, the Township Board desires to amend the Zoning Ordinance and Zoning Map to create a new overlay district for renewable energy land uses; and

WHEREAS, the Township Planning Commission held a duly noticed public hearing at a meeting on August 12, 2024 to consider amendments to the Zoning Ordinance and Zoning Map regarding a renewable energy overlay district (“Proposed Amendments”); and

WHEREAS, the Township Planning Commission recommended adoption of the Proposed Amendments, as described in Ordinance No. 60-2024, An Ordinance to Amend the Zoning

Ordinance and Zoning Map to Establish the Renewable Energy Overlay District (the “Ordinance”);
and

WHEREAS, the Township Board finds that undeveloped brownfield properties are especially conducive sites for renewable energy land uses because they provide an opportunity for renewable energy production while making use of otherwise vacant land; and

WHEREAS, the Township Board finds that certain brownfield properties in the Township are located near substations and existing transmission infrastructure necessary for renewable energy projects; and

WHEREAS, the Township Board finds that siting renewable energy land uses in an overlay district encompassing brownfield properties is in the best interest of the health, safety, and welfare of the Township’s residents and the general public.

NOW, THEREFORE, the Township Board of the Township of White River resolves as follows:

1. Ordinance No. 60-2024, An Ordinance to Amend the Zoning Ordinance and Zoning Map to Establish the Renewable Energy Overlay District, attached as **Exhibit A**, is hereby adopted.
2. The Ordinance shall be filed with the Township Clerk.
3. The Township Clerk is directed to publish a notice of adoption within 15 days after adoption of the Ordinance.
4. A copy of the Ordinance shall be available for examination at the office of the Township Clerk, and copies may be provided for a reasonable charge.
5. Any resolutions that conflict with this Resolution are repealed to the extent necessary to give this Resolution full force and effect.

A vote on the above Resolution was taken and was as follows:

YEAS: Dufresne, Anderson, Harris, Sargent, Bailey

NAYS: None

ABSENT: None

ABSTAINING: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

)

COUNTY OF MUSKEGON)

I, the undersigned, the duly qualified and acting Clerk for the Township of White River, Muskegon County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a meeting held pursuant to the Open Meetings Act on September 10, 2024.


Patti Sargent, Township Clerk

EXHIBIT A

**WHITE RIVER TOWNSHIP
MUSKEGON COUNTY
MICHIGAN**

ORDINANCE NO. 60-2024

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND ZONING MAP
TO ESTABLISH THE RENEWABLE ENERGY OVERLAY DISTRICT**

The Township of White River ordains:

Section 1. New Chapter 14A, “REO Renewable Energy Overlay District.”

A new Chapter 14A, entitled “REO Renewable Energy Overlay District,” is added to the White River Township Zoning Ordinance after Chapter 14 and reads in its entirety as follows:

CHAPTER 14A REO RENEWABLE ENERGY OVERLAY DISTRICT

SECTION 14A.01 PURPOSE

It is the purpose of this District to promote the public health, safety, and general welfare by providing areas in the Township for renewable energy land uses while also protecting the Township’s open space, natural habitats, and farmland.

SECTION 14A.02 PERMITTED USES

All uses specifically permitted in the underlying zoning district are permitted in the REO District. Uses not specifically permitted in the underlying zoning district are prohibited.

SECTION 14A.03 SPECIAL LAND USES

All uses specifically allowed as a special land use in the underlying zoning district are allowed as special land uses in the REO district, subject to approval by the Planning Commission as a Special Land Use in accordance with the procedures of Chapter 16.

Land and/or buildings in the REO District may also be used for the following special land uses, subject to approval by the Planning Commission as a Special Land Use in accordance with the procedures of Chapter 16.

- A. Wind energy conversion systems, subject to Section 16.06(LL).
- B. Utility-scale solar energy systems, subject to Section 16.06(MM).
- C. Utility-scale battery energy storage systems, subject to Section 16.06(NN).

SECTION 14A.04 DELINEATION OF REO DISTRICT

The REO District covers the following area:

Parcel No. 61-01-136-100-0001-00

Section 2. Amendment to Section 4.02.

Section 4.02 of the White River Township Zoning Ordinance is amended by the addition of the following row to the table in Section 4.02:

REO	Renewable Energy Overlay	Chapter 14A
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Section 3. Amendment of Zoning Map.

The White River Township Zoning Map is amended by the addition of a Renewable Energy Overlay District (“REO”) as depicted in **Exhibit A**.

Section 4. Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

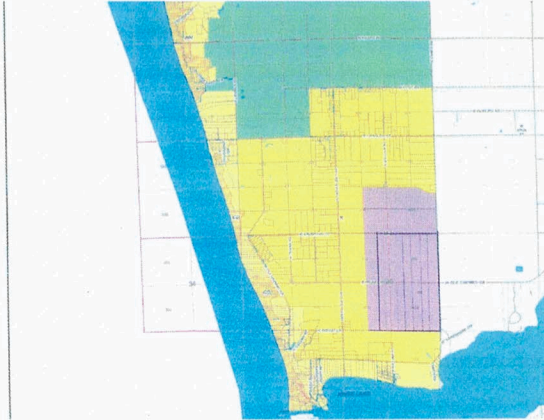
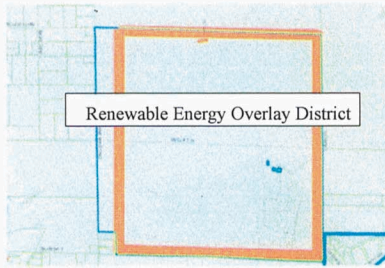
Section 5. Repealer.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 6. Effective Date.

This Ordinance/ordinance amendment shall become effective seven (7) days after the adoption of this Ordinance/ordinance amendment (or summary thereof) appears in the newspaper as provided by law.

Exhibit A to Ordinance No. 60-2024



The vote to adopt this ordinance/ordinance amendment was as follows:

YEAS: Dufresne, Anderson, Harris, Sargent, Bailey

NAYS: None

ABSTAIN/ABSENT: None

THIS ORDINANCE/ ORDINANCE AMENDMENT IS HEREBY DECLARED ADOPTED_

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance/ordinance amendment adopted by the Township Board for White River Township at a meeting of said Board held on September 10, 2024.

Dated: September 10, 2024


Patti Sargent, White River Township Clerk

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