

## Proposed Amendments

### Original Language:

Height. Private WECS projects shall conform to the maximum height standards of the zoning district and shall not exceed one hundred (100) feet. Commercial WECS and Test Facilities shall not exceed six hundred (600) feet in height. Compliance with FAA regulations, the Michigan Airport Zoning Act and the Michigan Tall Structures Act shall be verified by the applicant.

### Proposed Amendment:

Provided below are two (2) options for amendment.

#### Proposal #1

Height. Private WECS shall not exceed one hundred and twenty (120) feet in height. Commercial WECS and Test Facilities shall not exceed five hundred (500) feet in height. However, the Planning Commission may restrict height based on the location of facilities, determined by the impact on adjacent land uses, and general satisfaction of standards set forth to protect public health and safety as set forth in this Ordinance. Compliance with FAA regulations, the Michigan Airport Zoning Act and the Michigan Tall Structures Act shall be verified by the applicant.

Staff Comment: The height standards set forth under Proposal #1 reflect the review of the maximum height of both private and commercial wind developments from twenty (20) communities across Michigan. Of these communities, eighteen (18) set forth a maximum height standard for private WECS and two (2) did not. Of these communities, twelve (12) communities set forth a maximum height standard for Commercial WECS and eight (8) did not. It should also be noted that some of the community's ordinances contained standards for height that could possibly be considered as unreasonable given conventional development of the use. An example would be a Township where the maximum height for a commercial WECS is cited at 100'.

#### Proposal #2

Height. Private WECS shall not exceed one hundred and twenty (120) feet. Commercial WECS and Test Facilities shall have no maximum height requirement. Maximum height shall be determined by the Planning Commission upon application by the applicant. Compliance with FAA regulations, the Michigan Airport Zoning Act and the Michigan Tall Structures Act shall be verified by the applicant.

Staff Comment: The Commercial WECS height standards set forth in Proposal #2 reflect the roughly forty (40) percent of Michigan communities with no dictated maximum height standard. *The Michigan Land Use Guidelines for Siting Wind Energy Systems*, produced by Michigan State University and the Land Use Policy Institute, suggests to avoid "setting a maximum height for wind systems... [as] rapid innovations in technology dictate that individual installation requirements will change" (2007, page 6).