

**CHIPPEWA TOWNSHIP
ORDINANCE NO. 2024-12**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO
REGULATE TALL STRUCTURES WITHIN THE TOWNSHIP**

THIS ORDINANCE AMENDMENT WAS RECOMMENDED TO THE TOWNSHIP BOARD BY THE PLANNING COMMISSION AND ADOPTED BY THE CHIPPEWA TOWNSHIP BOARD ON September 3, 2024.

THE TOWNSHIP OF CHIPPEWA, COUNTY OF ISABELLA, STATE OF MICHIGAN, HEREBY ORDAINS:

Section 1: Amendment to Section 5.08 of the Chippewa Township Zoning Ordinance

Section 5.08: Television, Radio, Microwave, Cellular, Data and other similar Tall Structures

Television, radio, microwave, cellular, data, power, communications and other similar tall structures and their attendant facilities, where permitted, shall be subject further to the following regulations:

1. Tall structures and their related equipment shall be secured by six-foot-tall fencing to deter/prevent unauthorized persons from reaching the structure and equipment.
2. All tall structures must have adequate access from a public road and/or an approved private road. Access drives must be built and maintained so that emergency vehicles may access the structure. Access drives shall be a minimum of 16 feet in width and have a load rating to accommodate the Township's fire trucks. Dead end access drives shall have a turn around sufficient for a 40-foot-long vehicle.
3. For single parcels: Said use shall be located centrally on the parcel having a dimension at least equal to the height plus 50 feet measured from the base of said structure to all principal and accessory structures and to all points on each property line. This distance shall be termed the Fall Distance.
4. For combinations of parcels: Said use shall be located centrally on the combined parcels having a dimension at least equal to the height plus 50 feet measured from the base of said structure to all principal and accessory structures and to all points on the exterior perimeter of the combined parcels overall boundary. This distance shall be termed the Fall Distance.
5. The single continuous parcel or the combined parcels shall have an easement limiting use of said parcel or parcels so that no structures of any type may be constructed within the designated Fall Distance. The easement shall be granted by the property

owner or owners to Chippewa Township and recorded in the Isabella County Register of Deeds. This easement shall run with the property or properties as long as the tower exists. Chippewa Township shall release said easement if and when the tower is removed. The easement form shall be provided by the Township, prepared by the applicant, reviewed by the Township and recorded by the Township. The fee for the recording or recordings shall be paid by the applicant.

6. All applications for any type of tall structure shall be required to submit for site plan approval under Section 5.09 of the Ordinance. Site plan applications and documentation shall be submitted to the Township Zoning Administrator for review of compliance with the Ordinance. If the application and documentation comply, they will be forwarded to the Chippewa Township Planning Commission for review.
7. All tall structures will be considered Special Uses under Section 5.11 of the Ordinance. All special use applications for tall structures shall be submitted to the Township Zoning Administrator for review of compliance with the Ordinance. If the application and documentation comply, proper notifications will be made to all property owners within 300 feet of the exterior perimeter of the parcel or parcels and a notification shall be placed in a local newspaper a minimum of 15 days prior to the Chippewa Township Planning Commission meeting. The application and documentation shall be forwarded to the Chippewa Township Planning Commission for review and a public hearing shall be held.
8. Tall structures for municipal (non-commercial) purposes only are permitted in any zoning classification.

Section 2: Validity and Severability

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

Section 3: Repealer

Any and all ordinances inconsistent with the provisions of this amending ordinance are repealed to the extent necessary to give this amending ordinance full force and effect.

Section 4: Effective Date

This amending ordinance takes effect seven days after publication as required by the Michigan Zoning Enabling Act (PA 110 of 2006, as amended).

The motion was made by Frances Ash and supported by Robert Wetherbee.

The motion carried with the following roll call vote of Yeas: Huber, Smith, Ash, Wetherbee, VanderKolk and Nays: None. Absent: None.

STATE OF MICHIGAN, COUNTY OF Isabella, TOWNSHIP OF Chippewa

I do hereby certify that the above Amendment of the Chippewa Township Zoning Ordinance is a true and correct copy of the Ordinance adopted by the Chippewa Township Board present on September 3, 2024.

Frances B. Ash,
Chippewa Township Clerk