

JONESFIELD TOWNSHIP

**SAGINAW COUNTY, MICHIGAN
ENERGY STORAGE FACILITIES
ZONING ORDINANCE AMENDMENT
ORDINANCE NO. 001-2026**

At a meeting of the Township Board of Jonesfield Township, Saginaw County, Michigan, held at the Jonesfield Township Hall on Jan. 19, 2026, at 7 p.m., Township Board Member Supervisor Blower moved to adopt the following Ordinance, which motion was seconded by Township Board Member Trustee Faye.

An Ordinance to amend the Jonesfield Township Zoning Ordinance, as amended, to regulate energy storage facilities.

JONESFIELD TOWNSHIP, SAGINAW COUNTY, MICHIGAN ORDAINS:

SECTION 1. AMENDMENT TO CHAPTER 2: The Jonesfield Township Zoning Ordinance, Chapter 2, Section 202 shall amend definitions as follows:

(61) Essential Public Services- The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith (but not including buildings, substations, or Energy Storage Facilities), reasonably necessary for the furnishing of adequate service by each public utilities, or township departments or commissions for the public health, safety or general welfare.

(62) Essential Public Service Building- A building or structure principal to an essential public service, such as a drop-off station for residential recyclables, vehicle garages, telephone exchange buildings, electricity transformer stations or substations (not including energy storage facilities that are in excess of 5 MW and cannot be included on the same permitted premises as the essential public building or structure), gas regulator stations, radio and television towers, and cellular phone antennas.

(63) Essential Public Service Building Storage Yard- An outdoor storage area principal or accessory to an essential public service building (not including Energy Storage Facilities).

SECTION 2. AMENDMENT TO CHAPTER 3: The Jonesfield Township Zoning Ordinance, Chapter 3 shall be amended to state as follows:

Section 302(5)(b). A building or structure principal to an essential public service, such as a drop-off station for residential recyclables, vehicle garages, telephone exchange buildings, electricity transformer stations or substations (not including energy storage facilities that are in excess of 5 MW and cannot be included on the same permitted premises as the essential public building or structure), gas regulator stations, radio and television towers, and cellular phone antennas.

A. All applications for energy storage facilities must be accompanied by detailed site plans, drawn to scale and dimensioned and sealed by a professional engineer licensed in the State of Michigan, displaying the following information, in addition to the information required for special use permits under Chapter 6 of the Zoning Ordinance.

1. Site Plan. A site plan submitted meeting the requirements of Section 907.
2. Contact Information. The complete name, address, and telephone number of the applicant.
3. Description. A description of the energy storage facility, including:
 - a. The location and a description of the energy storage facility.
 - b. A description of the anticipated effects of the energy storage facility on the natural environment, natural resources, and solid waste disposal capacity, which may include records of consultation with relevant state, tribal, and federal agencies.
 - c. A description of the battery chemistry to be used in any project.
 - d. Anticipated or future use of augmentation for a project or repurposing batteries or other components. Should an applicant intend to repurpose or augment a project site, applicants must provide a narrative indicating the anticipated project life of the project with repurposing or augmentation and detail plans and schedules for repurposing or augmentation activities.
 - e. Additional information required by the Township as it relates to the site plan.
4. Public Benefits. Expected public benefits of the proposed energy storage facility.
5. Environmental Impacts. The expected direct impacts of the proposed energy storage facility on the environment and natural resources and how the applicant intends to address and mitigate these impacts. This includes any impacts to water quality, water supply, or potential groundwater contamination and methods to avoid such impacts to water sources.
6. Agency Consultation. Evidence of consultation, if required, before submission of the application, with the Department of Environment, Great Lakes, and Energy and other relevant state and federal agencies before submitting the application, including, but not limited to, the Department of Natural Resources and the Department of Agriculture and Rural Development.
7. Agricultural Impact. Each applicant must demonstrate how project restoration and decommissioning plans enable project lands that were prime farmland or used for agricultural purposes to still be prime farmland or suitable for agricultural purposes. Applicants shall ensure that any facility sited on lands used for agricultural purposes or prime farmland can be maintained and returned to a state to continue to be used for agricultural purposes after project decommissioning and all costs

obligations must be assigned to any future owner or operator of the energy storage facility; (2) the Township will have land rights to perform decommissioning itself with a posted financial assurance should it need to decommission a project; (3) the anticipated life of the project before decommissioning; (4) how the Township will receive land access rights to decommission the project should it be required to decommission the project; (5) an acknowledgement from the applicant or project owner that the estimate of project decommissioning costs will be updated and reviewed at a minimum of every three (3) years by a mechanism acceptable to the Township, including but not limited to, an inflationary index or review of decommissioning costs by a professional engineer or other qualified professional and that the financial assurance required for decommissioning to be posted with the Township will be updated at a minimum of every three (3) years to match the new estimate of project decommissioning costs; unless the estimate of decommissioning costs goes down in which case the financial assurance will remain at the same value. Including identifying if it has an indefinite life.

11. Construction Schedule / Lifespan. An anticipated construction commencement date and anticipated completion date for project construction. An estimate of the total operating lifespan of the project before decommissioning in years.
12. Application Escrow. An escrow account shall be funded by an applicant when an applicant applies for a special use permit for an energy storage facility. The monetary amount placed by the applicant in escrow with the Township shall be estimated by the Township to cover all reasonable costs and expenses associated with the zoning review and approval process (including site plan review), which costs include, but are not limited to, reasonable fees of a Township attorney, planner, and/or engineer, as well as costs for any other outside consultants or reports or studies that the Township determines are reasonably related to the zoning review process for a particular application. Such escrow amount shall be in addition to any non-refundable application fees determined by the Township. At any point during the zoning review process, the Township may require that the applicant place additional monies in escrow with the Township should the existing escrow amount filed by the applicant be insufficient. If the escrow account needs replenishing and the applicant refuses to do so within 45 days, the zoning review and approval process shall cease until and unless the applicant makes the required escrow deposit. Such application escrow shall be held by the Township Treasurer in a separate bank account, and upon completion of Township zoning review, all excess escrow funds must be returned to an applicant without interest.

properties and not result in any spoils being stored on or other activities occurring on non-participating properties. .

Setback Description	Setback Distance
Buildings on nonparticipating properties.	500 feet from the nearest point on the battery energy storage system (BESS).
Public road right-of-way	150 feet measured from the nearest edge of a public road right-of-way to the BESS.
School	1,800 feet from the nearest property line to the BESS.
Nonparticipating properties	300 feet measured from the nearest shared property line to the BESS equipment.

- B. Height:** The maximum height of an energy storage facility is limited to 15 feet in height. An applicant can site improvements greater than 15 feet in height (with maximum not to exceed the zoning district regulations) if the Planning Commission determines taller improvements are necessary for a project such as mounting heights for project security lighting.
- C. Installation.** The energy storage facility shall comply with the version of NFPA 855 'Standard for the Installation of Stationary Energy Storage Systems' in effect on the date of application or any applicable successor standard.
- D. Liability Insurance.** The owner or operator of any energy storage facility shall maintain a current insurance policy with insured amount to be acceptable for the Township to cover installation and operation of the project and name the Township including its officers, agents, and employees as an additional insured. The amount of the policy shall be established as a condition of special use permit approval.
- E. Noise.** No energy storage facility shall cause noise in excess of fifty (50) dBA (using Leq-60 minute or other acceptable scale to the Township) as measured at fifty (50) feet from any occupied dwelling of a non-participating parcel unless an applicant demonstrates with good cause that even with the use of maximum achievable technology it cannot meet the noise standards within this Ordinance. The Planning Commission shall have the sole discretion to determine whether an applicant has demonstrated good cause for deviation from the fifty (50) dBA standard above and any applicant seeking deviation from the standard based on good cause must: (1) outline how the energy storage facility will utilize maximum achievable technology to mitigate sound by specifying what methods and equipment will be used; and (2) show the specific properties where the noise level

complaint, or if no action is to be taken, a detailed explanation of why no action is appropriate.

- e. Complaint Resolution Form. The Applicant may create and submit a Complaint Resolution Form. The Complaint Resolution Form must include the following information: 1) The complaint number; 2) The date the complaint is being made; 3) The Project for which the complaint is being made; 4) The name of the complainant; 5) The complainant's signature; 6) The address and telephone number of the complainant; 7) A description of the complaint; 8) A description of the corrective action that is being recommended by the complainant; 9) A stipulation that states that the undersigned complainant agrees that the subject complaint is adequately described on the form and that the specified corrective action is appropriate in response to the complaint, with a designated area for the complainant to sign and date; 10) An area where the complainant may sign after the complaint has been adequately resolved and requires no further action.

J. Project Appearance and Good Repair.

1. Until project decommissioning, the owner and operator must maintain the energy storage facility and its components in good repair. The project fence, and the area immediately surrounding the project, including buffer and setback areas between the project and other properties, shall be kept free of refuse, waste, and debris, and shall be neat, clean, and free of unsightly/unkept, hazardous, or unsanitary conditions.

K. Abandonment or Decommissioning.

1. Any energy storage facility which has reached the end of its useful life cycle or has been abandoned consistent with this section of the Zoning Ordinance shall be removed. The project site must be restored to a condition substantially similar to its pre-development condition or a condition expressly authorized by the Zoning Ordinance and any property owner lease. The owner/operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner/operator shall notify the Township and the Planning Commission by certified mail of the proposed date of discontinued operations and plans for removal.
2. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the energy storage facility shall be considered abandoned when it remains nonfunctional or inoperative to the extent that it is not used to store/transmit electric energy for a continuous period of 18 months. If the owner/operator fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment, the Township is permitted to enter the property and physically remove the installation at the owner's expense.
3. Decommissioning shall consist of:

SECTION 8. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: Brown, Nock, Foye, Swarthout, Clark

NAYS: none

ABSENT: none

ORDINANCE DECLARED ADOPTED.

Stanley J. Brown
Stanley J. Brown, Township Supervisor

NOTICE OF ADOPTION
ZONING ORDINANCE AMENDMENT
ORDINANCE NO. 061-2026

Jonesfield Township
Saginaw County, Michigan

The Jonesfield Township Board adopted an amendment to the Jonesfield Township Zoning Ordinance on Jan. 19, 2026. The ordinance amendment regulates the development and use of Energy Storage Facilities in the Township and provides for zoning districts to allow the land use. The amendment will become effective seven (7) days after publication of this notice of adoption, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, the ordinance amendment will take effect in accordance with MCL 125.3402.

A copy of the ordinance amendment and the entire zoning ordinance may be purchased or inspected during regular business hours or by appointment in the Township Clerk's office located in the Jonesfield Township Hall at 217 Eddy Street, Merrill, Michigan 48637. The ordinance amendment contains the following catchlines: (1) Section 1: Amendment to Chapter 2, Section 202(61), Section 202(62), Section 202(63); (2) Section 2: Amendment to Chapter 3, Section 302(5)(b); (3) Section 3: Amendment to Chapter 6, Section 612(t); (4) Section 4: Amendment to Chapter 5, Section 504.1; (5) Section 5: Amendment to Chapter 5, Section 504.7; (6) Section 6: Severability; (7) Section 7: Repeal and Form; (8) Section 8: Effective Date.

Kari Clark, Jonesfield Township Clerk
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Publication Date: Jan 26, 2026