

**HOWELL TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
ZONING ORDINANCE AMENDMENT**

ORDINANCE NO. 297

At a regular meeting of the Township Board of Howell Township, Livingston County, Michigan, held at 3525 Byron Rd., Howell, Michigan 48855 on the 20th day of November, 2025, at 6:30 P.M., Township Board Member Hohenstein moved to adopt the following Ordinance, which motion was seconded by Township Board Member Boal:

An ordinance to amend the Zoning Ordinance of Howell Township; to amend Articles XVI to allow Renewable Energy Facilities, to create Article XXX a Renewable Energy Overlay District, and to provide for severability and repealer clauses of any ordinances inconsistent herewith.

HOWELL TOWNSHIP ORDAINS AS FOLLOWS:

SECTION 1. AMENDMENT TO THE HOWELL TOWNSHIP ZONING ORDINANCE TO ARTICLE XVI, SPECIAL USES: The Howell Township Zoning Ordinance shall be amended to read as follows:

ARTICLE XVI

SPECIAL USES

Section 16.15 – RENEWABLE ENERGY FACILITIES

- 1) *Abandonment:* Any renewable energy system or facility that is no longer producing power over a consecutive 12-month period of time.
- 2) *Accessory Solar Energy Systems:* A device, and/or components designed to generate renewable and store energy installed at individual residential or commercial locations which are incidental to the principle permitted use on a parcel of land. The use of such installation is exclusively for private purposes, and not for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electrical grid. Examples include Building-Mounted Solar Energy Collectors and Ground-Mounted Solar Energy Collectors.

- 3) *Decommission*: To remove and/or retire a renewable energy system or facility from active service, including the restoration of the ground to its original condition.
 - 4) *Facility Boundary*. The boundary around a parcel, multiple parcels, or portions thereof, leased or purchased for the purposes of operating a renewable energy facility.
 - 5) *Nameplate Capacity*: The designed full-load sustained generating output of an energy facility. This is determined by reference to the sustained output of an energy facility even if components of the energy facility are located on different parcels, whether contiguous or noncontiguous.
 - 6) *Nonparticipating Property*: A property that is adjacent to an energy facility and that is not a participating property.
 - 7) *Occupied Community Building*: a school, place of worship, day-care facility, public library, community center, or other similar building that the applicant knows or reasonably should know is used on a regular basis as a gathering place for community members.
 - 8) *Solar Array*: A collection of solar panels, wired together to generate electricity from the sun.
 - 9) *Renewable Energy Facilities*: A facility where the principal design, purpose, or use is to provide renewable energy via wind, solar and/or storage to off-site uses or the wholesale or retail sale of generated electricity.
 - 10) *Renewable Energy Systems*: A device, and/or components designed to generate renewable energy.
 - 11) *Wind Energy Conversion System (WECS)*: Any device such as a turbine, windmill, or charger that converts wind energy to a usable form of energy.
- A. INTENT. Renewable Energy Facilities may only be permitted in the Howell Township Renewable Energy Overlay District. The following regulations are intended to ensure the interests of the landowner and the Township are achieved harmoniously with no negative effect to the long-term viability of the subject property or those surrounding it. In the Renewable Energy Overlay District where this special land use is permitted, facilities for the capture, storage, and distribution of renewable energy for commercial purposes.
- B. SOLAR AND STORAGE FACILITIES

1) Setbacks. The solar and storage renewable energy facility setback requirements are found in the table below. All associated accessory equipment shall be subject to the same requirements. Setback requirements for all yards may be increased or decreased by the Planning Commission based upon the following considerations:

- The land use and zoning of adjacent properties, with particular attention to residential or other sensitive uses.
- The presence and effectiveness of screening measures such as landscaping, fencing, or natural buffers.
- Topographic conditions or existing vegetation that may reduce visual or noise impacts.
- The orientation and design of the facility, including panel direction and placement of accessory structures.
- Potential glare, noise, or other nuisance impacts on neighboring properties.

| | Renewable Energy Overlay District | | |
|-----------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------|
| Adjacent Properties | Residential Land Uses | Place of Worship or Public Institutional Land Uses | All Other Land Uses |
| Front Yard Setback (adjacent to right-of-way) | 300ft from nearest dwelling unit or 100ft from property line whichever is greater | 300ft from nearest dwelling unit or 100ft from property line whichever is greater | 50ft from property line |
| Side Yard Setback | 300ft from nearest dwelling unit or 100ft from property line whichever is greater | 300ft from nearest dwelling unit or 100ft from property line whichever is greater | 50ft from property line |
| Rear Yard Setback | 300ft from nearest dwelling unit or 100ft from property line whichever is greater | 300ft from nearest dwelling unit or 100ft from property line whichever is greater | 50ft from property line |

In instances where the renewable energy facility is comprised of multiple parcels, these setbacks shall apply to the exterior perimeter of all adjoining parcels. All setback distances are measured from the property line, to the closest point of the renewable energy system. Should the nearest component of the renewable energy system be a solar or photovoltaic array, the measurement shall be taken from the array at minimum tilt.

2) Lot Coverage. The area of the renewable solar energy facility and any associated accessory structures shall not exceed 75% of the square footage of the entire site within the facility boundary. Impervious surfaces for the purpose of calculating lot coverage for renewable solar energy systems include, but are not

limited to, mounting pads, footings, concrete, asphalt, or gravel driveways and walkways, and accessory structures.

- 3) Height. The height of the renewable solar energy system and any mounts, buildings, accessory structures, and related equipment must not exceed twenty-five (25) feet when orientated at maximum tilt. Lightning rods may exceed twenty-five (25) feet in height, but they must be limited to the height necessary to protect the solar energy system from lightning and clearly shown in site plan proposals.

The height of the renewable storage energy system or any structure constructed to enclose the system shall not exceed thirty (30) feet.

- 4) Screening. Screening is required around the entire facility boundary perimeter to obscure, to the greatest extent possible, the solar or storage renewable energy system from all adjacent properties. Screening standards set forth in Section 28.03.A. shall be applied to all solar and storage renewable energy facilities. Each owner, operator, or maintainer of solar or storage renewable energy facility to which this ordinance applies shall utilize good husbandry techniques with respect to said vegetation, including but not limited to, proper pruning, proper fertilizer, and proper mulching, so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be removed and must be replanted at the next appropriate planting time. An acceptable and reasonable long term landscape maintenance plan must be submitted prior to final approval. The Planning Commission may modify these requirements if it reasonably determines it necessary as it relates to proposed placement of renewable energy systems and adjacent land uses and/or zoning.
- 5) Fencing. The facility boundary perimeter of a solar or storage renewable energy facility shall be completely enclosed by a lock gated perimeter fence at least eight (8) feet in height and in accordance with the other relevant Fencing and Protective Screening language of Section 14.26, 14.27, and 28.08 of the Township Zoning Ordinance. Additional fencing may be required for screening or security purposes in cases where the Planning Commission deems necessary. All fencing must comply with the latest version of the National Electrical Code.
- 6) Glare. Solar renewable energy systems must be placed and oriented such that concentrated solar radiation and/or glare does not project onto roadways and nearby properties. Applicants have the burden of proving any glare produced does not cause annoyance, discomfort, or loss in visual performance and visibility.

An analysis by a qualified professional third-party, mutually agreeable by both the Township and applicant, shall be required to determine if glare from the utility-scale solar energy system will be visible from nearby residents and roadways. The analysis shall consider the changing position of the sun throughout the day and year, and its influence on the solar renewable energy system.

- 7) Drainage and Stormwater. Renewable solar and storage energy facilities shall not increase stormwater runoff onto adjacent properties. The application shall include a drainage plan prepared by a registered civil engineer showing how stormwater runoff shall be managed and demonstrating that runoff from the site shall not cause undue flooding. Any necessary permits from outside agencies for off-site discharge shall be provided. It should also be reasonably demonstrated that maintenance procedures and products will not introduce chemicals or create detrimental impacts to the natural environment, groundwater, and wildlife.
- 8) Noise. The solar energy facility shall not generate a maximum sound in excess of 55 average hourly decibels as modeled at the property line. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- 9) Code Compliance. All renewable storage energy facilities, all dedicated use buildings, and all other buildings or structures that (1) contain or are otherwise associated with a renewable storage energy facility and (2) subject to the Building Code shall be designed, erected, and installed in accordance with all applicable provisions of the Building Code, all applicable state and federal regulations, and industry standards as referenced in the Building Code and the Howell Township Zoning Ordinance.

C. WIND ENERGY CONVERSION SYSTEM (WECS)

- 1) Design Safety Certification. The safety of the design of all WECS structures shall comply with all current applicable State of Michigan guidelines and standards.
- 2) Interference. All WECS structures shall be certified by the manufacturer to minimize or mitigate interference with existing electromagnetic communications, such as radio, telephone, microwave or television signals.
- 3) Setbacks. The distance between a WECS and the nearest property line and/or nearest road right of way shall be at least two and one-tenth (2.1) times the blade tip height for occupied community buildings and residences on nonparticipating

properties and one and one-half (1.5) times the blade tip height from residences and other structures on participating properties, nonparticipating property lines, the public right-of-way, and overhead communication and electric transmission (not including utility service lines to individual houses or outbuildings). No part of the WECS structure, including guy wire anchors, may extend closer than ten (10) feet to the owner's property line. All accessory equipment shall be at least one hundred (100) feet from the nearest property line. Setback requirements for all yards may be increased or decreased by the Planning Commission based upon impacts to existing land uses and/or zoning of adjacent properties.

- 4) Shadow Flicker. Each wind tower is sited such that any occupied community building or nonparticipating residence will not experience more than 30 hours per year of shadow flicker under planned operating conditions as indicated by industry standard computer modeling.
- 5) Height. Each wind tower blade tip does not exceed the height allowed under a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR part 77.
- 6) Lighting. The WECS is equipped with a functioning light-mitigating technology. To allow proper conspicuity of a wind turbine at night during construction, a turbine may be lit with temporary lighting until the permanent lighting configuration, including the light-mitigating technology, is implemented. The Planning Commission may grant a temporary exemption from the requirements of this subparagraph if installation of appropriate light-mitigating technology is not feasible. A request for a temporary exemption must be in writing and state all of the following:
 - i. The purpose of the exemption.
 - ii. The proposed length of the exemption.
 - iii. A description of the light-mitigating technologies submitted to the Federal Aviation Administration.
 - iv. The technical or economic reason a light-mitigating technology is not feasible.
 - v. Any other relevant information requested by the Planning Commission.
- 7) Guy Wires. If an on-site WECS is supported by guy wires, the wires shall be clearly visible to a height of at least six (6) feet above the guy wire anchors.
- 8) Fencing. Facilities shall be completely enclosed by a lock gated perimeter fence at least eight (8) feet in height and in accordance with the other relevant Fencing

and Protective Screening language of Section 14.26, 14.27, and 28.08 of the Township Zoning Ordinance. Additional fencing may be required for screening or security purposes in cases where the Planning Commission deems necessary. All fencing must comply with the latest version of the National Electrical Code.

- 9) Noise. WECS facility shall not generate a maximum sound in excess of 55 average hourly decibels as modeled at the property line. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.
- 10) Color. Towers and blades shall be a non-reflective neutral color.
- 11) Controls and Brakes. All commercial WECS structures shall be equipped with manual and automatic controls to limit rotation of blades to a speed below the designed limits of the WECS. The Professional Engineer must certify that the rotor and overspeed control design and fabrication conform to applicable design standards. No changes or alterations from certified design shall be permitted unless accompanied by a Professional Engineer's statement of certification.
- 12) Compliance with FAA. It shall be the responsibility of the applicant to obtain the appropriate FAA permits for the WECS structure, or to obtain a determination of no significant impact to air navigation from the FAA.
- 13) Climb Prevention. All commercial WECS structures must be protected by anti-climbing devices.
- 14) Warning Signage. A visible warning sign of High Voltage is required to be placed at the base of all commercial WECS structures. Such signs shall also be located at all points of site ingress and egress.

D. STANDARDS FOR RENEWABLE ENERGY FACILITIES

- 1) Abandonment, Removal, Repowering and/or Maintenance. If a renewable energy facility ceases to perform its intended function (generating electricity) for more than 12 consecutive months, the operator shall remove all associated equipment and facilities no later than 90 days after the end of the 12-month period. Where the removal has not been lawfully completed as required above, and after at least 30 days' written notice, the Township may remove or secure the removal of the renewable energy facility and/or system or if due to abandonment and/or negligence to maintain, the Township shall have the right to enter the site for the reason of repowering the facility, in cases where repairs

or replacements to the renewable energy system components are necessary, in order to properly maintain the system. The Township's actual cost and reasonable administrative charges to be covered by the operator's security bond. Charges may include the procurement of a contractor with the expertise to oversee and execute the entire set of repairs and/or maintenance to restore the site to its original capacity. Any costs incurred by the Township above and beyond the value of the security bond will be the responsibility of the operator.

- 2) Decommissioning. The ground shall be restored to its original condition within 60 days of removal of structures. The restoration will include returning all soil within the facility to its original environmental state of which record must be taken prior to the commencement of construction. Acceptable ground covers include grasses, trees, crops, or other material demonstrated to be characteristic of the surrounding land. All above and below ground materials shall be removed when the renewable energy facility and/or system is decommissioned. All installed landscaping and greenbelts shall be permitted to remain on the site as well as any reusable infrastructure as determined by the Township. These can include service drives, utilities, etc.

Guarantee. A letter of credit, cash deposit, or other security instrument found acceptable to the Township Board shall be posted by the owner(s) and/or operator of the Utility-scale solar energy facility. Such surety shall be equal to one-hundred twenty five (125) percent of the total cost of decommissioning and/or reclamation based on an estimate that shall be presented by the applicant and evaluated and approved by the township. The guarantee shall be increase by a minimum of 3% each year or equal to one hundred twenty five (125) percent of a new estimate. The cost of decommissioning shall be re-reviewed and submitted to the Township annually to ensure adequate funds are allocated for decommissioning. The developer shall provide a new estimate at least every five (5) years to assess whether the guarantee should be appropriately adjusted to reflect the current decommissioning cost.

- 3) The applicant shall engage a certified professional engineer acceptable to the Township to estimate the total cost of decommissioning all structures in the facility in accordance with the requirements of this Ordinance, including reclamation to the original site conditions.
- 4) A security bond, if utilized, shall be posted and maintained with an A-Rated bonding company licensed in the State of Michigan or a Federal or State-chartered lending institution acceptable to the Township.

- 5) Any bonding company or lending institution shall provide the Township with 90 days' notice of the expiration of the security bond. Lapse of a valid security bond is grounds for the actions defined below.
- 6) If at any time during the operation of the renewable energy facility, prior to, during, or after the sale or transfer of ownership and/or operation of the facility the security instrument is not maintained, the Township may take any action permitted by law, to revoke the special land use, order a cessation of operations, and order removal of the structure and reclamation of the site.
- 7) In the event of sale or transfer of ownership and/or operation of the renewable energy facility, the security instrument shall be maintained throughout the entirety of the process. The security instrument shall be maintained until decommissioning and removal has been completed to the satisfaction of the Township.
- 8) Provision of Manufacturers' Safety Data Sheet(s). The applicant must submit manufacturer safety data sheets for all proposed equipment. If approval is granted, applicant must provide the Township with finalized manufacturer safety data sheets both to be kept on record with the Township and on-site in a clearly marked waterproof container. Applicants must provide updated manufacturer data sheets whenever equipment is modified so that all records are up to date. Documentation shall include the type and quantity of all materials used in the operation of all equipment.
- 9) Fire Response. All electrical equipment associated with and necessary for the operations of the facility shall comply with all local and state codes. All design and installation work shall comply with all applicable provisions of the National Electrical Code (NEC).
- 10) The applicant shall provide training, at no cost to the Township, before, approximately halfway through and after construction for all emergency service departments serving the Township. Including all other requirements for permits, all three (3) trainings must have been completed to receive final zoning permits. Trainings upon the completion and during the operation of the renewable energy facility will be conducted upon the request of all emergency service departments but not exceed four (4) trainings per any given twelve (12) month period.
- 11) The applicant shall provide a set of procedures and protocols for managing risk or fire and for responding in the event of an emergency at the facility. It will be

the burden of the applicant to ensure said procedures and protocols provided to the various emergency service departments is the most up to date version.

- 12) Special equipment that may be required to ensure the safety of fire and rescue personnel when responding to an emergency at the facility shall be provided at no cost to the Township prior to commencement of construction of the facility. The authority to determine whether, and what type of, special equipment is needed shall be with the fire and/or rescue department(s) serving the Township.
- 13) The applicant shall provide for and maintain reasonable means of access for emergency services. Lock boxes and keys shall be provided at locked entrances for emergency personnel access. If any adjoining properties are damaged as a result of ingress/egress to the facility, the applicant shall remedy all damages in full.
- 14) Anticipated Construction Schedule. Applicant must provide an anticipated construction schedule which highlights when potentially hazardous materials will be brought on-site and installed.
- 15) Permits. Applicant must coordinate with all applicable agencies for required permitting including but not limited to the Livingston County Road Commission and/or Michigan Department of Transportation (MDOT) Livingston County Drain Commission, Environmental Protection Agency (EPA), Michigan Department of Environment, Great Lakes and Energy (EGLE), etc.
- 16) Photographic Record. Applicant must submit a complete set of photos and video of the entire development area prior to construction. This will be used as historical documentation for the township to secure and refer to if/when decommissioning and redevelopment activities take place.
- 17) Site Security. A security plan shall be submitted with the special land use application and site plan application for a renewable energy facility. Additional fees may be required to cover specialized reviews of these plans and or the Township's building official's inspection of the site. The security plan shall:
 - i. Show all points of secured access as well as the means for limiting access to authorized personnel only.
 - ii. Along with other signage requirements in this Ordinance and the Township Sign Ordinance, install and maintain warning signage on all dangerous equipment and facility entrances.

- iii. Provide a schedule outlining the implementation and maintenance of site security as well as routine inspections to ensure site security infrastructure is intact and operating as intended.

18) Indemnity. Applicant will indemnify and hold the Township harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the Utility-scale solar energy facility and/or system, which is subject to the Township's review and approval.

19) Ownership Changes: If the owner of the Utility-scale solar energy facility changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning responsibilities. A new owner or operator of the Utility-scale solar energy facility shall notify the Township of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such notification to the Township in writing. The special use permit and all other local approvals for the Utility-scale solar energy facility may be determined by the Township Board at a public meeting to be void if a new owner or operator fails to provide written notification to the Township in the required timeframe, unless the new owner or operator provides a reasonable explanation for any delay. Reinstatement of a void special use permit will be subject to the same review and approval processes for new applications under this Ordinance.

20) Location: Renewable Energy Facilities shall be permitted only within the Renewable Energy Overlay District as designated in Section 30.01. This requirement does not apply to Accessory Solar Energy Systems, as outlined in Section 16.15(G).

E. RENEWABLE ENERGY FACILITIES SITE PLAN REQUIREMENTS.

Applications for all renewable energy facilities must be accompanied by detailed site plans, drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan. All site plans shall conform to the requirements listed in Article XX. In addition they shall display the following information:

1. Horizontal and vertical to scale drawings (elevations) with dimensions that show the location of the proposed solar array(s), wind turbines and energy storage facilities, buildings, structures, electrical tie lines and transmission lines, security fencing and all above ground structures and utilities on the property.
2. Location of all existing and proposed overhead and underground electrical

transmission or distribution lines within the renewable energy facility and within one hundred (100) feet of all facility boundary property lines. Use of above-ground lines shall be kept to a minimum.

3. Planned security measures to prevent unauthorized trespass and access during the construction, operation, removal, maintenance or repair of the renewable energy facility. In no instance shall barbwire be used.
4. A written description of the maintenance program to be used for the renewable energy facility, including decommissioning and removal. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the renewable energy facility is decommissioned. Description should include the average useful life of all primary renewable energy system equipment and components being proposed.
5. Additional detail(s) and information as required by the Planning Commission and/or Township Board.

F. RENEWABLE ENERGY FACILITIES REQUIRED STUDIES.

All studies and analyses listed below may be required for renewable energy facilities as determined appropriate by the Planning Commission based on the size, location, and potential impacts of the proposed project. The Commission may waive or modify these requirements if it determines that sufficient information is otherwise available or the study is not necessary to ensure public health, safety, and welfare.

1. Stormwater Study. A stormwater plan prepared by a qualified professional shall be submitted in accordance with Part 31 of the Michigan Natural Resources and Environmental Protection Act (NREPA), and any applicable Township stormwater regulations. The analysis should address how site design, including layout, slope, and panel spacing, affects stormwater runoff and infiltration. Engineered stormwater solutions may be required where natural infiltration is not feasible.
2. Wildlife Impact Analysis. For sites with potential sensitive habitat or wildlife concerns, the Planning Commission may require the applicant to provide a wildlife and habitat assessment. This assessment should include a review of known species and habitats using available data from the Michigan Department of Natural Resources and U.S. Fish and Wildlife Service. Where applicable, the applicant shall implement best management practices and comply with relevant State and Federal endangered species protection laws.

3. Natural Feature Preservation Study. Applicants shall identify and preserve, to the extent feasible, significant natural features such as mature trees, wetlands, and natural grade. Tree clearing should be minimized, especially in setback areas. A tree inventory may be required for trees 6" DBH or greater if significant clearing is proposed.
4. Environmental Impact Analysis. The applicant shall provide a summary identifying how the proposed facility complies with relevant parts of the Michigan Natural Resources and Environmental Protection Act (Act 451 of 1994), including but not limited to:
 - i. Michigan Natural Resources and Environmental Protection Act (Act 451 of 1994, MCL 324.101 et seq.) including but not limited to:
 - ii. Part 31 Water Resources Protection (MCL seq.),
 - iii. Part 91 Soil Erosion and Sedimentation Control (MCL 324.9101 et seq.),
 - iv. Part 301 Inland Lakes and Streams (MCL 324.30101 et seq.),
 - v. Part 303 Wetlands (MCL 324.30301 et seq.),
 - vi. Part 323 Shoreland Protection and Management (MCL 324.32301 et seq.),
 - vii. Part 325 Great Lakes Submerged Lands (MCL 324.32501 et seq.),
 - viii. Part 353 Sand Dunes Protection and Management (MCL 324.35301 et seq.).
 - ix. The Township may request documentation from relevant regulatory agencies to confirm compliance with required permits and standards.

G. ACCESSORY SOLAR ENERGY SYSTEMS

1. Intent. Accessory Solar Energy Systems including all solar technologies and batteries for energy storage generated by the solar technologies are hereby permitted as accessory uses and subject to approval or a certificate of Zoning Compliance per Section 21.04 of this Ordinance. Typically installed at individual residential or commercial locations, use is exclusively for private purposes, and not for any commercial resale of any energy, except for the sale or credit of surplus electrical energy back to the electrical grid. Any accessory solar energy system shall be designed and size to provide for the energy needs of the principal use. The following requirements shall apply to all Accessory Solar Energy Systems for private use.

2. Building-Mounted Solar Energy Requirements. Any building-mounted solar energy system shall be a permitted accessory use by right in all zoning districts, subject to the following requirements:

- i. Solar energy systems that are mounted on the roof of a building shall not project more than the highest point on the roof. Additionally, they are not to exceed the maximum building height limitation for the zoning district in which it is located and shall not project beyond the eaves of the roof.
- ii. Solar energy systems that are wall-mounted shall not exceed the height of the building wall to which they are attached.
- iii. Solar energy systems that are mounted on the roof or on a wall of a building, shall not be angled in such a way that glare from the surface is directed at a neighboring residential structure.
- iv. The design of accessory solar energy system, and the installation and use thereof, shall conform to the State Construction Code and all other applicable building, electrical, and fire codes.

3. Ground-Mounted Solar Energy System Requirements. A ground-mounted solar energy system is considered an accessory structure and may be permitted as an accessory use by right in all zoning districts, subject to the following requirements:

- i. Ground-mounted solar energy systems may be located in the rear yard and the side yard, but must meet the required side and rear yard setbacks of the district in which they are located. Ground-mounted solar energy collectors may be located within the front yard if the following criteria are met:
 - a) The parcel is located in AR district.
 - b) The principal building is located at a minimum of 200% of the required front yard setback.
 - c) Ground-mounted solar energy systems shall meet the front yard setback.
 - d) Vegetative screening materials must meet the requirements of Section 28.04.

- ii. Ground-mounted solar energy systems shall not exceed the height of fifteen (15) feet, measured from the ground at the base of such equipment at full tilt.
- iii. The ground-mounted solar energy systems shall not be angled in such a way that glare from the surface is directed at a neighboring residential structure.
- iv. The design of ground-mounted solar energy systems, and the installation and use thereof, shall conform to the State Construction Code and all other applicable building, electrical, and fire codes.
- v. The lot coverage area, as measured from edge to edge, at minimum tilt, horizontally with the ground, of the solar array shall not exceed 50% of the square footage of the primary building of the property and shall comply with the maximum ground floor coverage referred to in Section 3.17.

Section 16.19 – Will be removed from the Ordinance.

SECTION 2. AMENDMENT TO THE HOWELL TOWNSHIP ZONING ORDINANCE TO ARTICLE XXX, RENEWABLE ENERGY OVERLAY DISTRICT: The Howell Township Zoning Ordinance shall be amended to read as follows:

ARTICLE XXX

RENEWABLE ENERGY OVERLAY DISTRICT

Section 30.01 – PURPOSE

A. GENERAL PURPOSE STATEMENT

It is the purpose of this Section to establish Overlay Districts that provide additional land use standards, development guidelines, or use permissions tailored to specific geographic areas or planning objectives within Howell Township. Overlay Districts are intended to address unique community goals, environmental considerations, infrastructure needs, or economic development opportunities, while maintaining compatibility with the underlying zoning and promoting the health, safety, and general welfare of the Township. These districts are designed to ensure coordinated and context-sensitive development that supports the long-term vision of the Master Plan

and other adopted policies.

B. SPECIFIC PURPOSE STATEMENTS

1. Renewable Energy Facilities Overlay District

It is the purpose of the Renewable Energy Overlay District to provide appropriate locations for Renewable Energy Facilities. This district is intended to ensure such facilities are developed in a location that is compatible with surrounding land uses, minimizes adverse impacts on the community and environment, and supports the safe, efficient production of renewable energy in accordance with state law. The Renewable Energy Facilities Overlay District shall be incorporated into the official Zoning Map and shall be adopted in the manner identified in Section 3.02.

SECTION 3. REPEAL: This Ordinance hereby repeals any ordinances in conflict herewith.

SECTION 4. SEVERABILITY: The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

SECTION 5. SAVINGS CLAUSE: That nothing in this Ordinance hereby adopted be construed to affect any just or legal right or remedy of any character nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

SECTION 6. PUBLICATION AND EFFECTIVE DATE: This Ordinance is hereby declared to have been adopted by the Howell Township Board at a meeting thereof duly called and held on the 20th day of November, 2025, was ordered to be given publication in the manner required by law, and was ordered to be given effect as mandated by statute.

YEAS: Hohenstein, Boal, Fagan, Daus, Coddington

NAYS: Counts, Wilson

ABSENT/ABSTAIN: None

HOWELL TOWNSHIP:

BY: _____
Sue Daus, Clerk

ADOPTED: November 20, 2025

PUBLISHED: December 5, 2025

EFFECTIVE: December 12, 2025

CERTIFICATION

I, Susan Daus, the Clerk of Howell Township, Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 297, adopted by the Howell Township Board at a regular meeting held on November 20, 2025.

The following members of the Township Board were present at that meeting:

Coddington, Daus, Hohenstein, Counts, Boal, Fagan, Wilson

The Ordinance was adopted by the Township Board with five (5) members of the Board voting in favor and two (2) members voting in opposition. Notice of adoption and publication of the Ordinance was published in the Livingston Daily on December 5, 2025. The Ordinance shall be effective on December 12, 2025, seven (7) days after publication.

By: _____
Susan Daus, Township Clerk