

HOWELL TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

3525 Byron Road

Howell, MI 48855

June 24, 2025

6:30 pm

1. Call to Order
2. Roll Call:
 - () Wayne Williams - Chair
 - () Chuck Frantjeskos
 - () Robert Spaulding – Vice Chair
 - () Matt Stanley
 - () Mike Newstead – Secretary
 - () Sharon Lollio
 - () Tim Boal – Board Rep.
3. Pledge of Allegiance
4. Approval of the Agenda:
Planning Commission Regular Meeting: June 24, 2025
5. Approval of the Minutes:
 - A. Regular Meeting May 27, 2025
6. Call to the Public:
7. Zoning Board of Appeals Report:
8. Township Board Report:
Draft Meeting Minutes June 9, 2025
9. Ordinance Violation Report:
Report dated 5.29.25
10. Scheduled Public Hearings:
11. Other Matters to be Reviewed by the Planning Commission:
12. Business Items
 - A. Old Business:
 1. Renewable Energy Ordinance
 2. ADU Ordinance
 3. Storage Container Ordinance
 - B. New Business:
13. Call to the Public:
14. Adjournment

This meeting is open to all members of the public under Michigan's Open Meetings Act.

Persons with disabilities who need accommodations to participate in this meeting should contact the Township Clerk's Office at 517-546-2817 at least two (2) business days prior to the meeting.

DRAFT

**HOWELL TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES**

3525 Byron Road Howell, MI 48855

May 27, 2025

6:30 P.M.

MEMBERS PRESENT:

| | |
|-------------------|----------------------|
| Wayne Williams | Chair |
| Robert Spaulding | Vice Chair |
| Mike Newstead | Secretary |
| Tim Boal | Board Representative |
| Chuck Frantjeskos | Commissioner |
| Matt Stanley | Commissioner |
| Sharon Lollo | Commissioner |

MEMBERS ABSENT:**Also in Attendance:**

Township Planner Grayson Moore, Steve Schimpke from Schafer Construction, Lucas Driesenga from PEA Group, Patrick Keough from Ace Civil Engineering, and Zoning Administrator Jonathan Hohenstein,

Chairman Williams called the meeting to order at 6:30 pm. The roll was called. Chairman Williams requested members rise for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Motion by Frantjeskos, **Second** by Newstead, “**Motion to approve.**” Motion carried.

APPROVAL OF THE MEETING MINUTES:

April 22, 2025

Motion by Spaulding, **Second** by Boal, “**Move to approval.**” Motion carried.

Call to the Public

None

ZONING BOARD OF APPEALS REPORT:

Minutes are in packet.

TOWNSHIP BOARD REPORT:

Draft minutes are included in the packet and Board Representative Boal gave an update. The Wellhead Protection ordinance in the Overly District was approved, budget meeting, Deputy Zoning and Deputy Assessing duties have changed and resolution to censure Trustee Wilson was passed.

ORDINANCE VIOLATION REPORT:

Report in packet. Commissioner Lollo questioned violation of Haslock properties.

Scheduled Public Hearing:

A. Ron Bergman, PC2025-07, 4706-20-100-023, 4590 W. Grand River Ave., Request for text amendment to Section 9 NSC Zoning District- to be more permissive for contractor buildings including HVAC companies.

Motion by Boal, **Second** by Newstead, “**To open the public hearing.**” Motion carried. Planner Moore gave an update that the Township received two requests to amend the permitted uses in the

Neighborhood Services Commercial (NSC) zoning district in the Howell Township Zoning Ordinance. The request was to allow Landscaping Yards and heating and cooling service shops. The 2023 Master Plan does permit these uses in the NSC zoning district with the proposed draft zoning text that has been prepared. Board Representative Boal questioned minimum setbacks on rear and front lot lines. **Motion** by Lollo, **Second** by Boal, **“Move to close.”** Motion carried.

- B. Douglas Parks, PC2024-08, 4706-35-300-009, 1356 Mason Rd., Request for text amendment to Section 9 NSC Zoning District- to include landscaping yards. Planner Moore discussed that landscaping is not noted in the Future Land Use NSC zoning district but believes it would be appropriate. The applicant provides lawn care, snowplow, and landscaping services. Storage of materials outside of a permitted structure must be included on the site plan and approved by the Planning Commission. Outdoor storage must be screened from public view and adjacent properties. Board Representative Boal questioned if the site plan will still need to go in front of the Planning Commission for approval after the text amendment passes. Commissioner Lollo questioned if they were selling landscaping products to the public. Applicant Doug Parks gave an overview of what his plan is for the property. They are not planning on being a landscape center. Chairman Williams questioned the scale of the drawing and driveway placement. Discussion followed. **Motion** by Newstead, **Second** by Stanley, **“So moved to close the public hearing”** Motion carried. **Motion** by Spaulding, **Second** by Lollo, with friendly amendments **“Move for the Planning Commission to recommend for the Howell Township Board to amend section 9.02 of our Howell Township Zoning Ordinance to 1.) Allow heating and cooling service/shop as a permitted use in the NSC Zoning as well as 2.) Include a text amendment to include landscaping yard within the service establishment also in Section 9.02 in the permitted principal uses and also to include in my motion to accept the changes in Section 14.46 and Section 9.05.”** Motion carried.
- C. Mark Juett, PC2025-06, PC2025-10, 4706-28-100-071, Vacant Hydraulic Dr., Special Land Use Request to Allow RV Storage and Preliminary Site Plan Review- Planner Moore gave an update that the applicant has stated that he is intending to develop an area that provides storage for boats, RVs, trucks, and small contractors. Per Section 12.03 of the Howell Township Zoning Ordinance any storage of recreational vehicles in the Industrial Flex Zone requires a Special Land Use Permit. **Motion** by Boal, **Second** by Newstead, **“To open the public hearing reference PC2025-06, PC2025-10, Parcel # 4706-28-100-071.”** Motion carried. Applicant Mark Juett addressed previous concerns with the site plan. He spoke on: eliminate the limitation on storage containers that can be placed on the property, using asphalt millings throughout the site, the screening/fencing of the property. Board Representative Boal had concerns with contractor storage, no trash receptacle on site, staffing to control regulations and placing storage containers in a uniform placement. Commissioner Lollo questioned if shipping containers are provided at their other locations and the continuity of the storage containers. Vice Chair Spaulding questioned the landscaping/plantings that are in certain areas on site, run off issues with non-pervious surfaces, height of the fence around the site, how to enforce amount of storage containers that are allowed on property and time limit on permits for storage containers. Commissioner Frantjeskos questioned the depth of asphalt millings and concerns with large trucks driving over them. Discussion followed. Planner Moore spoke on possible amendment of portable storage container ordinance to allow for additional regulations.

Doug Parks, 3040 Brighton Rd- Spoke on possibility of evergreen tree placement to be used for screening in front of property

Motion by Boal, **Second** by Newstead, **“To close the public hearing.”** Motion carried. **Motion** by Newstead, **Second** by Frantjeskos, with friendly amendments **“Based on the information provided by the applicant, staff, and consultants following a public hearing conducted by the Planning**

Commission on May 27, 2025, the Planning Commission finds the application for a Special Land Use Permit and Preliminary Site Plan for Juett Outdoor Storage, PC2025-06 located at Parcel #4706-28-100-071 meets the standards for the Special Land Uses in Section 16.06 and Preliminary Site Plan Review in Section 20.06 and recommends approval to the Township Board. The commission finds that:

- A) No additional parking spaces are required B) The hard surface paving requirements are waived and asphalt millings of 8-12" in depth will be used. Approval is subject to A) The applicant provides three additional shrubs along Hydraulic Drive C) The applicant provides 2 additional shrubs along the storm water management basin D) The applicant addresses the outstanding items in the Howell Area Fire Department report dated April 1, 2025." Motion carried 5-2.

Other Matters to be Reviewed by the Planning Commission:

None

BUSINESS ITEMS:

A. Old Business:

1. Mitch Harris Building Company, PC2025-02, Parcel # 4706-28-400-012, Preliminary Site Plan Review. Planner Moore gave an update on additional information and concerns that were noted during April's meeting. Chairman Williams questioned decks exceeding past setbacks. Engineer Patrick Keough from Ace Civil Engineering answered questions and discussed landscaping plans. Commissioner Lollo questioned if the driveway would be asphalt or concrete. Board Representative Boal questioned if a drainage agreement with River Downs complex was addressed, if sidewalks would be present along Grand River Ave., the natural preservation area and screening along the single family residential area on the North-East side of Grand River. Discussion followed. **Motion by Frantjeskos, Second by Boal, "Based on the information provided by the applicant, staff, and consultants, the Planning Commission finds the application for Preliminary Site Plan approval for the Mitch Harris Building Co. River Downs Development PC2025-02, located at parcel #4706-27-300-030, meets the standards for preliminary site plans in Section 20.06. Approval is subject to the following conditions: 1.) The applicant addresses the outstanding items in the Spicer Group report dated April 25, 2025 2.) The applicant addresses any outstanding items listed in the Chief Deputy Drain Commissioner's email dated April 24, 2025 3.) The applicant provides landscape planting plans in accordance with Section 20.06 prepared by a registered Landscape Architect 4.) All sheets submitted be combined into one site plan package for final approval 5.) Decks are reconfigured to meet the required side setback."** Motion carried.
2. Agape City Church, PC2025-11, Parcel # 4706-28-400-012, Final Site Plan Review. Planner Moore gave an update on the plan. There are no outstanding items that need to be addressed for planning or zoning but recommended leaving mature trees located East of the proposed building. Steve Schimpke from Schafer Construction and Lucas Driesenga from PEA Group answered questions. Board Representative Boal questioned a future second building and second driveway to Durant Drive. Commissioner Lollo questioned traffic study and Fishbeck Traffic Engineer reviewed the study that was completed. Discussion followed. **Motion by Newstead, Second by Lollo, "Based on the information provided by the applicant, staff and consultants, the Planning Commission finds the application for Final Site Plan approval for the Agape City Church**

PC2025-11, located at parcel # 4706-28-400-012, meets the standards for final site plans in section 20.07.” Motion carried

3. Renewable Energy Ordinance- Mark Fosdick, Supervisor of Cohoctah Township spoke on their experiences within their Township and answered questions from the Commission relating to Public Act 233, crafting an ordinance, battery storage systems and environmental concerns. Planner Moore gave an update on edits that were made to the proposed ordinance. Discussion followed. **Motion** by Boal, **Second** by Newstead **“To postpone until our next meeting the Renewable Energy Discussion.”** Motion carried.

CALL TO THE PUBLIC:

John Mills, 1750 Oak Grove Rd.- Spoke on solar farms and developers

ADJOURMENT:

Motion by Boal, **Second** by Frantjeskos, **“To Adjourn.”** Motion carried. The meeting was adjourned at 10:15 P.M.

Date

Mike Newstead
Planning Commission Secretary

Marnie Hebert
Recording Secretary

DRAFT

HOWELL TOWNSHIP REGULAR BOARD MEETING MINUTES

3525 Byron Road Howell, MI 48855

June 9, 2025

6:30 P.M.

MEMBERS PRESENT:

| | |
|---------------------|------------|
| Mike Coddington | Supervisor |
| Sue Daus | Clerk |
| Jonathan Hohenstein | Treasurer |
| Tim Boal | Trustee |
| Matt Counts | Trustee |
| Shane Fagan | Trustee |
| Bob Wilson | Trustee |

MEMBERS ABSENT:

Also in Attendance:

One person signed in.

Supervisor Coddington called the meeting to order at 6:30 p.m.

All rose for the Pledge of Allegiance.

CALL TO THE BOARD:

Trustee Fagan requested to add 7-B American Legion

Supervisor Coddington requested to postpone 5-B, request to add Trustees Wilson's statement as an addendum to the May Board meeting packet, until the July Board meeting.

APPROVAL OF THE AGENDA:

June 9, 2025

Motion by Daus, **Second** by Fagan, **"To approve the agenda."** Motion carried.

APPROVAL OF BOARD MEETING MINUTES:

May 12, 2025

REGULAR BOARD MEETING MINUTES

Motion by Hohenstein, **Second** by Boal, **"To accept the minutes for the regular board meeting of May 12th as presented."** Motion carried, one dissent.

May 12, 2025

BUDGET MEETING MINUTES

Motion by Counts, **Second** by Hohenstein, **"Move approval."** Motion carried.

May 12, 2025

CLOSED SESSION MINUTES

Motion by Hohenstein, **Second** by Daus, **"To accept the closed session meeting minutes for May 12th as presented."** Motion carried.

CALL TO THE PUBLIC:

John Mills 1750 Oak Grove Rd.: Spoke on solar energy, and the censorship of Trustee Wilson.

UNFINISHED BUSINESS:

A. Howell-Mason LLC v. Howell Township

Treasurer Hohenstein stated that the court documents for Howell-Mason v. Howell Township were added to the packet for the Board's review. Discussion followed.

B. American Legion

Motion by Fagan, **Second** by Wilson, **"To pass the resolution to dismiss the ticket issued against the American Legion Post 141."** Discussion followed. Trustee Fagan rescinded the motion, Trustee Wilson approved. **Motion** by Fagan, **Second** by Wilson, **"To table this until we have a legal opinion."** friendly amendment **"To table this until we have legal review of the resolution."** Trustee Fagan amended motion **"To get a legal opinion on the resolution after two weeks of no communication is made or achieved between the American Legion and Howell Township."** Roll call vote: Daus – yes, Wilson – yes, Fagan – yes, Coddington – yes, Hohenstein – yes, Counts – yes, Boal – yes. Motion carried (7-0).

NEW BUSINESS:

A. Township Credit Card System

Treasurer Hohenstein discussed that the current credit card system that the Township is using will be raising their interest rate from 2.75% to 3.5%. This prompted the Township to look into other credit card processing options. The Township software company, BS&A offers a credit card processing application and a lower processing interest rate. Treasurer Hohenstein is requesting guidance/approval on how the Board would like to move forward. **Motion** by Counts, **Second** by Hohenstein, **"To approve the usage of BS&A for credit card processing and the purchase of the terminal as presented in item 8-A in the packet."** Discussion followed. Motion carried.

B. Pay Increases for 2025/2026 Budget Year

Supervisor Coddington discussed that the minutes from the Human Resource Committee were included in the packet for the Board's review. Discussion followed.

Motion by Counts, **Second** by Hohenstein, **"To suggest at least 4% for staff."** Motion carried.

Motion by Hohenstein, **Second** by Fagan, **"To accept resolution 06.25.553 for no increase."** Fagan – yes, Daus – yes, Coddington – yes, Wilson – yes, Counts – yes, Boal – yes, Hohenstein – yes. Motion carried (7-0).

Motion by Hohenstein, **Second** by Boal, **"To accept resolution 06.25.554 with no increase."** Boal – yes, Hohenstein – yes, Fagan – yes, Counts – yes, Wilson – yes, Coddington – yes, Daus – yes. Motion carried (7-0).

Motion by Hohenstein, **Second** by Fagan, **"To accept resolution 06.25.555 with no increase."** Wilson – yes, Boal – yes, Fagan – yes, Coddington – yes, Counts – yes, Daus – yes, Hohenstein – yes. Motion carried (7-0).

Motion by Hohenstein, **Second** by Boal, **"To accept resolution 06.25.556 with no increase."** Hohenstein – yes, Counts – yes, Wilson – yes, Boal – yes, Daus – yes, Coddington – yes, Fagan – yes. Motion carried (7-0).

C. Alisa and Marc Seyburn, PC2025-03, 4706-12-400-010 request to rezone from SFR to AR

Treasurer Hohenstein gave a brief overview of the request to rezone from single family residential to agricultural residential. **Motion** by Wilson, **Second** by Fagan, **"To accept their parcel change rezoning."** Motion carried.

D. ADU Ordinance

Trustee Boal discussed Permitted Accessory Special Use ADUs. Discussion followed. **Motion** by Boal, **“To accept the Planning Commission’s recommendation for the proposed zoning ordinance amendments to regulate accessory dwelling units.”** Discussion followed. Motion failed due to no support.

Motion by Hohenstein, **Second** by Counts, **“To send the ADU ordinance back to the Planning Commission to remove the condition of Planning Commission approval and the special land use requirement and to consider any additional guardrails or check boxes to deal with concerns.”** Roll call vote: Coddington – yes, Boal – no, Daus – yes, Counts – yes, Fagan – yes, Hohenstein – yes, Wilson – yes. Motion carried (6-1).

E. Mark Juett, PC2025-06, 4706-28-100-071, Vacant Hydraulic Dr., Special Land Use Permit

Treasurer Hohenstein discussed that the applicant is requesting Board approval for a special land use permit for outside RV storage. Discussion followed. **Motion** by Hohenstein, **Second** by Counts, **“To approve the special land use request from the Juett Outdoor Storage Parcel number 4706-28-100-071 based on the information provided by the applicant, staff, consultants and they meet the following standards of the zoning ordinance A) Will be harmonious with and in accordance with the general objectives, intent, purposes of this ordinance in terms of their uses, activities, processes, materials, equipment, conditions of operation that will be detrimental to any person, property, the general welfare of the surrounding area in which is located due to excessive production of traffic, noise smoke, fume, glare, or odors. B) Will be designed, constructed, operated, maintained and managed to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity C) Will be served adequately by essential public facilities and services D) Will not be hazardous or disturbing to existing or future neighboring uses E) Will not create excessive additional requirements at public cost for public facilities, utilities and services F) Will not have a substantial adverse impact upon the natural resources and environment on the lot or parcel.”** Motion carried.

CALL TO THE PUBLIC

Kaye Don LeChevalier spoke on ADUs

REPORTS:

A. SUPERVISOR:

Supervisor Coddington discussed the Ordinance Enforcement Officer job position that was added to the packet. Discussion followed.

B. TREASURER:

Treasurer Hohenstein reported on the following items:

Deputy Treasurer is requesting approval to attend the Governmental Accounting Webinar. **Motion** by Hohenstein, **Second** by Daus, **“Approval for the Deputy Treasurer to attend the Governmental Accounting Webinar presented by BS&A as presented.”** Motion carried.

Deputy Treasurer Murrish is requesting approval for the Halloween event for 2025. **Motion** by Fagan, **Second** by Hohenstein, **“To approve the Halloween event.”** Motion carried.

Cybersecurity and Audit Assessment. It was the consensus of the Board to get more information before coming to a decision.

C. CLERK:

Clerk Daus is requesting approval for herself and the Deputy Clerk to attend the Earned Sick Time Act (ESTA) and the Cemetery Challenges and Solutions one day conference presented by MTA. **Motion** by Hohenstein, **Second** by Boal, **“To accept the class for both the Clerk and the Deputy Clerk for the ESTA and Cemetery Challenges as presented.”** Motion carried.

D. ZONING:

Zoning Administrator Hohenstein reported that some of the procedures for the planning commission will be changing due to some cyber scams that are taking place.

E. ASSESSING:

See Assessor Kilpela's prepared written report

F. FIRE AUTHORITY:

Supervisor Coddington reported on Fire Authority.

G. MHOG:

Trustee Counts reported on MHOG

H. PLANNING COMMISSION:

Trustee Boal reported on planning commission.

I. ZONING BOARD OF APPEALS (ZBA):

No report

J. WWTP:

Treasurer Hohenstein reported that the lights at the Wastewater Treatment Plant need to be updated. **Motion** by Hohenstein, **Second** by Daus, **"To accept the quote from K&J Electric for \$8,600.00 to convert lights to LEDs as presented."** Motion carried.

K. HAPRA:

See Clerk Daus's prepared written report.

L. PROPERTY COMMITTEE:

Treasurer Hohenstein reported that there is a developer that is interested in the Marr and Oak Grove parcel for possible future development.

M. PARK & RECREATION COMMITTEE:

No report.

N. SHIAWASSEE COMMITTEE:

No report.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

Motion by Hohenstein, **Second** by Daus, **"To accept the disbursements as presented and any normal and customary payments for the month."** Motion carried.

ADJOURNMENT:

Motion by Counts, **Second** by Hohenstein, **"To adjourn."** Motion carried. The meeting adjourned (8:55 pm).

Howell Township Clerk
Sue Daus

Mike Coddington
Howell Township Supervisor

Tanya Davidson, Recording Secretary

DRAFT

Monthly Permit List

MHOG

| Permit # | Applicant | Address | Fee Total | Const. Value |
|-------------|--|---------------------|-----------|--------------|
| PMHOG24-025 | VANSTAN / O'BRIEN | 4293 LAMBERT DR | \$0.00 | \$0.00 |
| | Work Description: 1.24 REUs per Spicer's determination. Letter sent to owner 6.24.24 | | | |
| PMHOG24-027 | VANSTAN / O'BRIEN | 4293 LAMBERT DR | \$0.00 | \$0.00 |
| | Work Description: 1" meter package, 1" irrigation meter | | | |
| PMHOG24-005 | PINEVIEW VILLAGE CONS. GROUP INC. | 1678 PINECROFT LANE | \$0.00 | \$0.00 |
| | Work Description: | | | |
| PMHOG24-006 | PINEVIEW VILLAGE CONS. GROUP INC. | 1680 PINECROFT LANE | \$0.00 | \$0.00 |
| | Work Description: | | | |

| | |
|-------------------------------------|---------------|
| Total Permits For Type: | 4 |
| Total Fees For Type: | \$0.00 |
| Total Const. Value For Type: | \$0.00 |

Residential Land Use

| Permit # | Applicant | Address | Fee Total | Const. Value |
|----------|---|--------------------|-----------|--------------|
| P25-078 | DOYLE HOMES, INC | W ALLEN - VACANT | \$75.00 | \$0.00 |
| | Work Description: 3 bedroom, 2.5 bathroom ranch home with 2 car garage and covered front porch. Unfinished basement with daylight windows. | | | |
| P25-107 | ROBINSON FENCE COMPANY | 3575 AMBER OAKS DR | \$50.00 | \$0.00 |
| | Work Description: 88 feet of 6' tall white vinyl with 2 sections with gates of 6' tall black chain link. | | | |
| P25-084 | AAFAQ A. CHUGHTAU | 327 CIMARRON DR | \$10.00 | \$0.00 |
| | Work Description: 1 Egress, Egress will be installed at existing window. Header and Lintle present. Window width to remain the same as when built. | | | |
| P25-079 | RENEWAL BY ANDERSEN - Store 92 | 2876 EASON DR | \$10.00 | \$0.00 |
| | Work Description: 1 window and 2 patio doors | | | |
| P25-102 | WEATHER GARD WINDOWS | 2526 FISHER RD | \$10.00 | \$0.00 |
| | Work Description: Install 11 same size vinyl replacement windows and 1 patio door | | | |
| P25-080 | MR. ROOF ANN ARBOR, LLC | 4485 GRAPE VINE DR | \$10.00 | \$0.00 |
| | Work Description: Tear off and reroof for house and shed | | | |
| P25-088 | LEGION BUILDING COMPANY | HARMON - VACANT | \$75.00 | \$0.00 |
| | Work Description: New Single Family Residence | | | |
| P25-082 | PENNALA BRANDON AND LEANNE | 1580 KEEL DR | \$75.00 | \$0.00 |
| | Work Description: Residential addition: Attached garage and living space. | | | |
| P25-086 | LAMPKIN LOGAN AND RACHAEL | 2251 W MARR RD | \$50.00 | \$0.00 |

Work Description: Trex composite deck

| | | | | |
|---------|---|--------------------|---------|--------|
| P25-103 | PREMIUM ROOFING LLC. | 650 W MARR RD | \$10.00 | \$0.00 |
| | Work Description: Tear off and reroof of house and attached garage with no structural changes. | | | |
| P25-108 | Freedom Forever Michigan LLC | 1450 W MARR RD | \$10.00 | \$0.00 |
| | Work Description: Solar panels roof mount | | | |
| P25-075 | RUNYAN BROTHERS CONSTRUCTION CO. | 3336 W MARR RD | \$75.00 | \$0.00 |
| | Work Description: New sunroom, porch, kitchen and addition. New roof | | | |
| P25-087 | HOME PRO EXTERIORS | 4840 W MARR RD | \$10.00 | \$0.00 |
| | Work Description: Tear off and re-shingle roof. | | | |
| P25-104 | DOUGLAS CRAIG A II AND JENNIFER L | 1907 OAK GROVE RD | \$50.00 | \$0.00 |
| | Work Description: 210' FENCE, 6 FEET TALL PVC MATERIAL | | | |
| P25-081 | MR. ROOF ANN ARBOR, LLC | 966 RED CEDAR DR | \$10.00 | \$0.00 |
| | Work Description: Tear off and reroof for house and shed | | | |
| P25-095 | COMFORT LIVING HOMES, LLC | 1019 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-099 | COMFORT LIVING HOMES, LLC | 1021 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24 ' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-096 | COMFORT LIVING HOMES, LLC | 1023 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-090 | COMFORT LIVING HOMES BURKHART RIDGE LOT #088 | 1036 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24 ' cosmetically attached garage to existing manufactured home | | | |
| P25-097 | COMFORT LIVING HOMES, LLC | 1040 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-100 | COMFORT LIVING HOMES, LLC | 1068 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-092 | COMFORT LIVING HOMES BURKHART RIDGE LOT #088 | 1074 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-091 | COMFORT LIVING HOMES BURKHART RIDGE LOT #088 | 1080 RIVER LINE DR | \$75.00 | \$0.00 |
| | Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | |
| P25-093 | COMFORT LIVING HOMES BURKHART RIDGE LOT #088 | 1088 RIVER LINE DR | \$75.00 | \$0.00 |

Work Description: 24 ' x 24 ' cosmetically attached garage to existing manufactured home

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|--|---------------------------------|---------------------|---------|--------|
| P25-076 | Freedom Forever Michigan LLC | 2751 SILVER TREE CT | \$10.00 | \$0.00 |
| Work Description: Installation of Solar electric system with upgrade to main service panel. | | | | |
| P25-106 | C & D FENCE & D | 2679 THISTLEWOOD DR | \$50.00 | \$0.00 |
| Work Description: 4 ' high treated wood fence | | | | |
| P25-077 | ASCHENBRENNER DENNIS SHANE | 3782 WARNER RD | \$10.00 | \$0.00 |
| Work Description: Remove old shingles and replace with steel standing seam roofing- Two story home | | | | |
| P25-089 | JEFF NELSON | 1011 WILLOW LN | \$10.00 | \$0.00 |
| Work Description: Tear off and replace existing roof with ice and water 6 feet up, using synthetic felt | | | | |
| P25-085 | MANUS BUILDERS | 1071 WILLOW LN | \$50.00 | \$0.00 |
| Work Description: demo existing deck and replace with new deck | | | | |
| P25-098 | COMFORT LIVING HOMES, LLC | 4408 WILLOWBANK DR | \$75.00 | \$0.00 |
| Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | | |
| P25-094 | COMFORT LIVING HOMES, LLC | 4413 WILLOWBANK DR | \$75.00 | \$0.00 |
| Work Description: 24' x 24' cosmetically attached garage to existing manufactured home | | | | |
| P25-101 | MR. ROOF ANN ARBOR, LLC | 4484 WYNNWOOD DR | \$10.00 | \$0.00 |
| Work Description: Tear off reroof house only | | | | |

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|-------------------------------------|------------------|
| Total Permits For Type: | 32 |
| Total Fees For Type: | \$1495.00 |
| Total Const. Value For Type: | \$0.00 |

Sign

| Permit # | Applicant | Address | Fee Total | Const. Value |
|---|------------------|---------------------------|-----------|--------------|
| P25-083 | SIGNS BY CRANNIE | 2212 GRAND COMMERCE DRIVE | \$175.00 | \$0.00 |
| Work Description: Furnish and Install (1) Double-Faced Non-Illuminated Post and Panel Sign | | | | |

| | |
|-------------------------------------|-----------------|
| Total Permits For Type: | 1 |
| Total Fees For Type: | \$175.00 |
| Total Const. Value For Type: | \$0.00 |

| | |
|-----------------------------|-------------------|
| Grand Total Fees: | \$1,670.00 |
| Grand Total Permits: | 37.00 |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|---|--------------------|-----------------|------------|----------------|-------------------------|
| 3735 PARSONS RD Complaint A lot of trash has been outside for over 6 months. The house is being powered by a generator. | O'CONNOR SEAN AND | 4706-28-300-012 | 05/05/2025 | PUBLIC - COMPL | OPEN - COMPLANT RECEIVE |
| Comments 5.5.25 - Complaint received 5.7.25 - Site visit completed, photos attached 5.8.25 - Letter sent to owners | | | | | |
| 5495 OAK GROVE RD Complaint Blighted property and Nuisance . Property is in a condition and disrepair. Accumulation of filth, garbage, dismantled cars, auto parts, vegetation overgrowth, decayed trees, junk, animal excrement and vermin. | LORENZ ROBERT & TR | 4706-02-401-001 | 05/01/2025 | ANONYMOUS | OPEN - COMPLANT RECEIVE |
| Comments 5.1.25 - Received complaint 5.7.25 - Site visit completed, photos attached, letter sent to owners | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|--|-------------------|-----------------|------------|----------------|-------------------------|
| 1013 E MARR RD Complaint Excessive noise from construction equipment entering and leaving the property for an at home business. | BOUDREAU BRIAN AN | 4706-12-400-031 | 04/08/2025 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 4.7.25 - Complaint received 4.10.25 - Site visit completed, photos attached 4.14.25 - Photos and videos provided by complainant 4.30.25 - Site visit completed, photos attached 5.9.25 - Photos and videos provided by complainant 5.15.25 - Spoke to complainant, reviewed evidence provided 5.21.25 - Violation letter sent to owners | | | | | |
| 3710 BOWEN RD Complaint Plumbing company is being run out of a home with many vehicles and commercial dumpster in the front yard. | ORDUNA PLUMBING I | 4706-21-100-013 | 02/13/2025 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 2.13.25 - Complaint received 2.26.25 - Investigation complete, site visit completed 2.27.25 - Letter sent to owner 3.31.25 - Site visit completed, dumpster no longer on property 4.30.25 - Site visit completed, no violations present | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|--|-------------------|-----------------|------------|----------------|-------------------------|
| 3750 BOWEN RD Complaint Business being run out of the home, over 20 vehicles, trailers, and equipment in yard with many temporary buildings. | BENFORD ANDREW T | 4706-21-100-028 | 02/13/2025 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 2.13.25 - Complaint received 2.26.25 - Investigation complete, site visit completed 2.27.25 - Letter sent to owner 3.12.25 - Spoke to owner, plans to remediate violation 3.31.25 - Site visit completed, some clean up has occurred 4.30.25 - Site visit completed, major clean-up efforts observed. A few trailers and snow plowing equipment being stored in rear yard. | | | | | |
| 2900 BREWER RD Complaint Broken down vehicle in front yard, farm tractor on a lot under 2 acres. | LECHEVALIER KAYED | 4706-22-200-014 | 02/13/2025 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 2.13.25 - Received complaint 2.14.25 - Spoke to homeowner about violations 2.19.25 - Letter sent to homeowner 2.19.25 - Homeowner provided proof of registration and insurance 2.25.25 - Spoke to homeowner and Twp. Planner RE parking 3.31.25 - Site visit completed, violations still present. Waiting on letter from Twp. Planner. | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|---|--------------------|-----------------|------------|----------------|-------------------------|
| 3408 CHERYL DR Complaint Has 3 junk cars, junk boat, junk camper, and at least 80 yards of debris scattered in his backyard. | MELTON HAROLD D & | 4706-14-401-029 | 02/10/2025 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 2.10.25 - Complaint received. 2.11.25 - Site visit completed. 2.12.25 - Letter sent to owner. 2.18.25 - Owner came into the Township and discussed the violations. The owner has agreed to a schedule to remediate the violations. 3.31.25 - Site visit completed, no visible change. 4.30.25 - Site visit completed, one vehicle no longer on site 5.15.25 - Spoke to homeowner, is requesting extension until July 1st to get the property in compliance. Letter sent to owner RE agreement | | | | | |
| 5704 CRANDALL RD Complaint A person is living in an RV in the back of the property against Township Ordinance. | JEWETT RICHARD L & | 4706-05-200-004 | 11/25/2024 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 12.10.24 - Site visit completed. RV is located in the back of the property. Letter sent to owner. 1.27.25 - Site visit completed. No visible change. Letter sent to owner. 2.11.25 - Requested additional information from complainant 3.10.25 - January letter returned unclaimed. 3.11.25 - December letter returned unclaimed. 3.31.25 - Site visit completed. New letter mailed out. 4.7.25 - Copy of letter given to homeowner. Spoke to homeowner - admitted that someone is living in the RV. Follow up letter sent to owner. 4.14.25 - Spoke to homeowner on the phone. Spoke to Jake at LCHD on the phone, they received a complaint about sewage being discharged onto the ground from one of the RVs. Spoke to person staying in the RV (Wes Gray) on the phone. Jake from LCHD and I made a visit to the site, spoke to Wes. Wes understands that he cannot live in an RV on the property. We agreed to 30 days to remove his things from the site. 4.30.25 - Site visit completed, Wes appears to be working on getting his things removed. 5.14.25 - Spoke to the homeowner, Wes moved some things but has started building a new trailer. Owner will call the Sheriff's Department to understand her options to get Wes removed from her property. 5.19.25 - Spoke to Wes, he has removed a lot of stuff but would like until June 1, 2025 to remove the rest of his stuff. He will provide receipts for the dumpster that he used. Twp will make a site visit and confirm that progress has been made. If progress has been made then we are willing to extend deadline to June 1. 5.19.25 - Site visit completed, some clean up has taken place, photos attached. Spoke to homeowner, admits a lot of work has been done and has no issue with Wes's request to extend deadline to June 1. Letter sent to owner to confirm same. | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|---|------------------|-----------------|------------|----------------|-------------------------|
| 4141 W GRAND RIVER A Complaint House is neglected, building unsafe, junk in yard. | TONON CHIARINA S | 4706-20-400-012 | 09/24/2024 | | OPEN - COMPLANT RECEIVE |
| Comments 9.24.24 - Contacted Livingston County Building Department RE performing dangerous building inspection. 10.3.24 - Received LCBD determination letter. Contacted Spicer RE Dangerous Buildings Hearing Officer availability. Spicer does not currently have availability to perform these duties. 10.17.24 - Letter sent to owner. 12.19.24 - No response received. Second letter sent to owner with tracking. 1.9.25 - Spoke to owner, is getting quotes from companies to demolish the structures. Provided contact information to Township and will stay in touch with progress reports. 1.27.25 - Violation still present. 3.31.25 - Site visit completed, violation still present, no visible change 4.30.25 - Site visit completed, violation still present, no visible change, will reach out to owners 5.7.25 - Left message for owner 5.9.25 - Received voicemail from owner, they are currently working through asbestos testing, getting the site taken care of in 4-6 weeks 5.14.25 - Spoke to the company that will be performing the demolition and discussed the permitting process | | | | | |
| 5407 OAK GROVE RD Complaint Garbage outside on the lawn surrounding the house and overflowing from the garage. Garbage is attracting vermin. | CITIZENS BANK NA | 4706-02-401-008 | 09/10/2024 | PUBLIC - EMAIL | OPEN - COMPLANT RECEIVE |
| Comments 9.10.24 - Complaint received. Site visit completed. Letter sent to owner and to bank. 10.8.24 - Site visit completed. No change in condition. Letter sent to owner and to bank. 10.17.24 - Original certified letter to owner returned. 10.21.24 - Letter posted on the house. 11.6.24 - Site visit. Letter is no longer posted to the house. No change in condition. 12.10.24 - Site visit. No change in condition. Property in foreclosure. 3.31.25 - Site visit completed. Tree has been removed from the house, garbage has been removed from inside the garage. Pile of rubbish at the road. 4.30.25 - Site visit completed, pile of rubbish is still at the road, will contact owners 5.7.25 - Sent email regarding junk at the road | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|---|-------------------|-----------------|------------|--------|--------------------------|
| 3265 W GRAND RIVER A Complaint Starting to add more parking on adjacent lot owned by MDOT without permits. | AMERICAN LEGION P | 4706-28-200-010 | 05/21/2024 | | OPEN - COMPLANT RECEIVE |
| Comments 4.25.24 - Received call regarding work being done by American Legion. Site visit, verified work was underway. Contacted MDOT RE approval. 5.21.24 - Site visit completed, violation still present. Sent letter to American Legion. 6.18.24 - Site visit. More work has been completed including installing gravel in excavated area and a tent and fencing has been erected next to gravel area on MDOT property. Letter sent to American Legion. 8.1.24 - Site visit completed. Tent and fencing have been removed, large pile of dirt has been removed, additional gravel parking area still on MDOT property. 9.4.24 - Site visit completed. Violation still present. Posted Notice of Violation Ticket to front door, mailed a copy of the violation. Ticket #: 0202 9.4.24 - Phone conversation with Commander Laura Goldthwait. Requested letter explaining the violation and steps moving forward. Mailed to Legion, emailed to Laura, attached. 9.12.24 - Received correspondence from Legion's attorney denying all responsibility. Documents provided to Township's attorney. Township's attorney has contacted Legion's attorney. 10.8.24 - Site visit completed. Photos of Legion using the additional parking attached. 12.10.24 - Site visit completed. Christmas trees located in additional parking area and land east of building. Letter sent regarding temporary uses requiring permits. 1.27.25 - No change to property 3.31.25 - No change to property 4.30.25 - No change to property | | | | | |
| 3590 W GRAND RIVER Complaint Zoning Violations:Outdoor storage without screening, setback issues, parking not hard surfaced, no sign permit. | HASLOCK PROPERTIE | 4706-28-100-024 | 05/06/2024 | | OPEN - FIRST LETTER SENT |
| Comments 5.13.24 - Violation letter to Occupant returned. 5.20.24 - Received phone call from owner. Will be preparing a site plan to take before the Planning Commission for approval. 6.20.24 - Received phone call from owner, discussed site plan requirements. 9.4.24 - Sent letter to owner RE site plan progress. 9.12.24 - Spoke to owner, Engineer has site plans almost complete. Will submit for review in the near future. 2.27.25 - Spoke to owner, Engineer will be submitting plans in the next week or two. 3.31.25 - Site visit completed, violations still present 4.30.25 - Site visit completed, violations still present 5.1.25 - Property owner turned in site plan. Currently considering if they would like to schedule a pre-conference prior to formally submitting the site plan. | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|---|-----------------|-----------------|------------|---------------|--------------------------|
| 5057 WARNER RD Complaint LARGE AMOUNT OF JUNK AND LITTER IN THE YARD. | HARTER EDWARD H | 4706-19-200-005 | 03/14/2022 | PUBLIC/ EMAIL | OPEN - SECOND LETTER SEN |
| Comments | | | | | |
| 4.17.2023 THERE IS MORE JUNK NOW THEN THERE WAS LAST MARCH OF 2022 OR JANUARY OF 2023. | | | | | |
| 5.25.2023 I SPOKE WITH MR. HARTER HE IS STARTING TO CLEAN THE SITE UP, HE SAID THAT IT WILL TAKE SOME TIME TO GET IT ALL CLEANED UP. I WILL BEE CHECKING ON HIS PROGRESS EVERY FEW WEEKS TO MAKE SURE HE IS MAKING PROGRESS. | | | | | |
| 6.29.2023 SOME PROGRESS HAS BEEN MADE. WILL CHECK BACK IN A COUPLE OF WEEKS. | | | | | |
| 1.9.2024 did a site vist there has been no progress made on the clean up. | | | | | |
| 1.11.2024 Finial letter sent. | | | | | |
| 3.20.24 - Site visit. No remediation of issues has taken place. Photos attached. | | | | | |
| 3.25.24 Spoke to owner. Owner is working on cleaning up the property, has dumpsters being delivered, scrap is in piles and ready to be taken to the scrap yard. Has requested 3 months to get the property cleaned up. Letter sent in confirmation of agreement. Scheduled visit for June 25th. | | | | | |
| 4.23.24 - Site visit. Violation still present. Scheduled reinspection. | | | | | |
| 5.20.24 - Site visit. Work has been started. Violation still present. Scheduled reinspection. | | | | | |
| 6.18.24 - Site visit. Violation still present, no evidence of continued clean up activity. Will reinspect on June 25th as agreed. | | | | | |
| 6.25.24 - Site visit. Minimal changes to site, violation still present. Letter sent to owner. | | | | | |
| 8.1.24 - Site visit completed. Owner still working on clean-up. | | | | | |
| 9.4.24 - Site visit completed, spoke to homeowner. Owner claims to have back of property nearly complete. Dumpster to be arriving next week, neighbors helping to remove scrap in the next few days. | | | | | |
| 10.8.24 - Site visit completed. No evidence of activity. Final violation letter sent to owner. | | | | | |
| 11.6.24 - Site visit completed. No evidence of activity. Will check property on 11.14.24 per letter. | | | | | |
| 11.14.24 - Site visit completed. No evidence of activity. Ticket number 0204 issued. Ticket mailed to homeowner 11.18.24. | | | | | |
| 12.4.24 - Spoke to homeowner. He will be completing a clean-up schedule and providing it to the Township. If the schedule is followed and clean-up of property is achieved ticket will be waived. | | | | | |
| 12.10.24 - Schedule has not been provided to Township. Site visit completed, no change. | | | | | |
| 1.27.25 - Site visit completed, no change. Schedule has not been provided to Township. Final violation letter sent to owner. | | | | | |
| 2.3.25 - Received phone call from owner's wife, owner is currently in jail. By February 24th they will contact the Township to discuss deadlines for removing the junk from the site. Letter sent to owner to confirm same. | | | | | |
| 2.24.25 - Spoke to owner's wife. | | | | | |
| 2.28.25 - Spoke to owner's wife, came to agreement on clean up schedule. Letter on agreement sent to owner. | | | | | |
| 3.17.25 - 2.28 letter returned. Mailed out letter again. | | | | | |
| 3.21.25 - Homeowner left message stating that all scrap metal has been removed, two vehicles will be removed this week. We may stop by any time to see the progress. | | | | | |
| 3.31.25 - Site visit completed, violation still present | | | | | |
| 4.30.25 - Site visit completed, violation still present. May 4th is the clean-up deadline, will make site visit Monday May 5th to check status. | | | | | |

Code Enforcement List

05/29/2025

| Address | Owners Name | Parcel Number | Date Filed | Origin | Status |
|---|-------------|---------------|------------|--------|--------|
| 5.7.25 - Site visit completed, violation still present. Posted ticket #0159 to the structure, filed ticket with the District Court and requested an informal hearing, mailed copy of ticket to owner. | | | | | |
| 5.19.25 - Received information from District Court setting formal hearing date. Contacted the court to switch to an informal hearing as originally requested. | | | | | |

Records: 13

Population: All Records

**Carlisle | Wortman**
ASSOCIATES, INC.117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Howell Township Planning Commission

FROM: Paul Montagno, AICP, Principal Planner
Grayson Moore, Community Planner

DATE: May 22, 2025

RE: Proposed Zoning Ordinance Amendments to Regulate Renewable Energy Facilities

Please find attached draft Zoning Ordinance Amendments and overlay district map that would regulate Renewable Energy Facilities within the township. This draft includes modifications requested by the Planning Commission at their regularly scheduled March 25, 2025, meeting. The proposed ordinance applies to those facilities under the State determined nameplate capacity, but could be used for a facility at or above capacity if the developers find the ordinance reasonable and chose to work with the township. Therefore, as proposed, the ordinance will not act as a compatible renewable energy ordinance (CREO) as defined by PA. 233 of 2023, but could be considered a workable ordinance.

Thus far, the Township has found this approach to managing the development of renewable energy facilities as reasonable because it addresses the Township's concerns without being overly burdensome.

Additionally, it is recognized that there is a desire for residents or local business to utilize accessory solar systems to provide for the energy needs of a single location. The proposed language also includes regulations for accessory solar systems. These are systems that would be incidental to the principal use of a property for a residence or a business.

Please note the following modifications for your consideration:

- The decommissioning definition has been updated to include the restoration of the ground to its original condition.
- Credit has been added in addition to surplus listed under intent in Accessory Solar Energy Systems.

- The Planning Commission can increase or decrease the required setbacks based upon impact to existing land uses or zoning of adjacent properties using criteria in the ordinance.
- The Planning Commission has the right to modify the screening requirements if they reasonably determine it necessary as it relates to proposed placement of renewable energy systems and adjacent land uses and zoning.
- The Planning Commission has the right to require additional fencing for screening or security purposes when deemed necessary.
- Modifications have been made to Section 16.15(D)(3) which increase the letter of credit to be posted by the developer.
- Language pertaining to required studies has been amended to allow for Planning Commission discretion.

We look forward to discussing these proposed Zoning Ordinance amendments at your next Planning Commission meeting. The next step in the process would be to make a recommendation to the Township Board to approve the proposed ordinance as presented, approve the proposed ordinance with amendments, or deny the ordinance as proposed.

Sincerely,



CARLISLE/WORTMAN ASSOC., INC.
Paul Montagno, AICP
Principal



CARLISLE/WORTMAN ASSOC., INC.
Grayson Moore
Community Planner

Draft Renewable Energy Facilities Ordinance to Replace Sections 16.15 and 16.19

Sections 16.15 Renewable Energy Facilities

A. RENEWABLE ENERGY DEFINITIONS

- 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 | 300ft from nearest dwelling unit or 100ft | 300ft from nearest dwelling unit or 100ft | 50ft from property |

| | Renewable Energy Overlay District | | |
|----------------------|--|--|-------------------------------|
| to right-of-way) | from property line whichever is greater | from property line whichever is greater | 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, or nearest point of a dwelling unit, 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 nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. 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 nearest outer wall of the nearest dwelling

located on an adjacent nonparticipating property. 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.
- 3) **Surety 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 fifty two 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 **Township developer** shall ~~have the right to evaluate the security instrument defined herein~~ **provide a new estimate** at least every five (5) years to assess whether the guarantee should be appropriately adjusted to reflect the current decommissioning **estimate cost.**
- 4) 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.
- 5) A security bond, if utilized, shall be posted and maintained with a bonding company licensed in the State of Michigan or a Federal or State-chartered lending institution acceptable to the Township.

- 6) 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.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) 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).
- 11) 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.

- 12) 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.
- 13) 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.
- 14) 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.
- 15) Anticipated Construction Schedule. Applicant must provide an anticipated construction schedule which highlights when potentially hazardous materials will be brought on-site and installed.
- 16) 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.
- 17) 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.
- 18) 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.

19) 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.

20) 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.

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.—~~All studies/analyses listed below are required for all renewable energy facilities unless waived by the Planning Commission.~~

- 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. ~~An analysis by a qualified professional third-party, mutually agreeable by both~~

~~the Township and applicant, shall be required to account for the proposed layout of the renewable solar or storage energy facility and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain-event (storm). Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.~~

- 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. ~~The applicant shall provide an analysis by a qualified professional third-party, mutually agreeable by both the Township and applicant, to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate, or mitigate adverse impacts identified in the analysis. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts. Sites requiring special scrutiny include wildlife refuges, other areas where birds are highly concentrated, bat hibernacula, wooded ridge tops that attract wildlife, sites that are frequented by federally or state-listed endangered species of birds and bats, significant bird migration pathways, and areas that have landscape features known to attract large numbers of raptors.~~

~~At a minimum, the analysis shall include a thorough review of existing information regarding species and potential habitats in the vicinity of the project area. Where appropriate, surveys for bats, raptors, or general avian use should be conducted. The analysis shall include the potential effects on species listed under the federal Endangered Species Act and Michigan's Endangered Species Protection Law. The applicant shall follow all pre-construction and post-construction recommendations of the United States Fish and Wildlife Service. The analysis shall indicate whether a post-construction wildlife mortality study will be conducted and, if not, the reasons why such a study does not need to be conducted. Power lines should be placed underground, when feasible, to prevent avian collisions and electrocutions. All aboveground lines, transformers, or~~

~~conductors should follow any Avian Power Line Interaction Committee (APLIC, <http://www.aplic.org/>) guidelines to prevent avian mortality.~~

- 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. ~~The plan for installation of a renewable energy facility shall include a tree survey and plan for cutting of trees greater than 6" DBA. No such trees shall be cut in any required setback other than those reasonably required for the installation of a drive to access the facility. Retention of natural grades, soils, and groundcover material is encouraged where feasible.~~
- 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: ~~An analysis by a qualified professional third-party, mutually agreeable by both the Township and applicant, shall be required to identify and assess any potential impacts on the natural environment including, but not limited to, wetlands and other fragile ecosystems, historical and cultural sites, and antiquities. The applicant shall take appropriate measures to minimize, eliminate, or mitigate adverse impacts identified in the analysis.~~

~~An applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts. The applicant shall comply with applicable parts of the following:~~

- 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.



Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Howell Township Planning Commission

FROM: Paul Montagno, AICP, Principal and Grayson Moore, Planner

DATE: June 18, 2025

RE: Proposed Zoning Ordinance Amendments for Accessory Dwelling Units

The following memo addresses direction provided at the May 12, 2025 Township Board meeting regarding Accessory Dwelling Units. The Board determined that ADUs should be permitted through an administrative approval process, rather than as a Special Land Use. The proposed amendments reflect this change and remove the Special Land Use requirement. Draft Zoning Ordinance Amendments are attached.

Please note the following of the proposed zoning ordinance:

- Accessory Dwelling Units are now permitted through an administrative review process rather than a Special Land Use.
- The Planning Commission is asked to review the ordinance to determine whether any additional standards or requirements should be added in light of this change.
- No changes have been made to the dimensional, design, or occupancy standards at this time.

We look forward to discussing these proposed Zoning Ordinance amendments at your next Planning Commission meeting.

Sincerely,

CARLISLE/WORTMAN ASSOC., INC.
Paul Montagno, AICP
Principal

CARLISLE/WORTMAN ASSOC., INC.
Grayson Moore
Community Planner

Benjamin R. Carlisle, *President* John L. Enos, *Vice President* Douglas J. Lewan, *Principal*
 David Scurto, *Principal* Sally M. Elmiger, *Principal* R. Donald Wortman, *Principal* Craig Strong, *Principal*
 Paul Montagno, *Principal* Megan Masson-Minock, *Principal* Laura Kreps, *Principal*
 Richard K. Carlisle, *Past President/Senior Principal*

SECTION 1 MODIFY SECTION 2.02 TO AMEND DWELLING, ACCESSORY DEFINITION

Dwelling, Accessory (ADU): A supplemental, smaller dwelling unit either developed within an existing single-family house such as a basement, attic, or as an attached addition, only to be occupied by family members as defined in this ordinance.

SECTION 2 ADD ATTACHED ACCESSORY DWELLING UNITS TO SECTION 4.05 PERMITTED ACCESSORY USES WITH CONDITIONS

SECTION 4.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

A. Roadside Stands.

In agricultural districts each farm may have one (1) temporary roadside stand for the purpose of selling produce raised or produced on that farm in the course of its permitted agricultural activity. The stand shall be located and constructed to meet the following requirements:

- 1) The structure shall not be more than one (1) story in height.
- 2) The floor area shall not exceed 400 square feet for farms having forty (40) acres or less in area, and farms in excess of forty (40) acres may increase the floor area at the rate of 100 square feet for each additional ten (10) acres of area.
- 3) The stand shall be located no closer than forty (40) feet from the nearest highway pavement or other traveled surface. In no case, shall the stand occupy any part of the right-of-way.

B. Mobile homes and trailer homes. Trailer coaches or mobile homes may be permitted as accessory dwellings to a permanent dwelling under the following circumstances:

- 1) The parcel of land shall be used for agricultural production, and shall not be less than eighty (80) acres in area.
- 2) The occupants of a said trailer shall qualify by being either:
 - a) in direct family relationship to the principal dwelling, or
 - b) a bona fide employee of the occupant of the principal dwelling, and engaged in an agricultural occupation on the premises.
- 3) The permit for such use shall terminate at such time as any of the above conditions shall cease to be met. In any case, the permit must be renewed each year, on the anniversary of its initial issue.
- 4) All mobile homes and travel trailers shall be located within the appropriate setback lines, and, in no case, shall be located in the front yard of the principal dwelling.

C. The rearing and housing of horses, mules and similar domestic animals.

1) The rearing and housing of horses, mules, and similar domestic animals for noncommercial purposes shall be subject to the Michigan Right to Farm Act, Public Act No. 93 of 1981 (MCL 286.471).

D. Rural Kennels subject to Section 14.44

E. Interior or Attached Accessory Dwelling Units subject to requirements listed in Section 14.10 Accessory Building as Dwelling.

SECTION 3 ADD ATTACHED ACCESSORY DWELLING UNITS TO SECTION 6.05 PERMITTED ACCESSORY USES WITH CONDITIONS

SECTION 6.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

- A. Roadside stands for existing agricultural land uses in conformance with the provisions of Section 4.05A.
- B. Private swimming pools for use as a part of single family dwellings in conformance with the provisions of Section 14.25.
- C. The rearing and housing of horses, mules and similar domestic animals.
 - 1) The rearing and housing of horses, mules or similar domestic animals, for noncommercial purposes shall be in accordance with the Michigan Right to Farm Act, Public Act 93 of 1981 (MCL 286.471)
- D. Interior or Attached Accessory Dwelling Units subject to requirements listed in Section 14.10 Accessory Building as Dwelling.

SECTION 4 ADD PROVISIONS FOR ATTACHED ACCESSORY DWELLING UNITS TO SECTION 14.10 ACCESSORY BUILDING AS DWELLING

No building or structure on the same lot with a principal building shall be used for dwelling purposes, except as outlined below or otherwise specifically permitted in this Ordinance.

- A. Accessory Dwelling Units (ADU's)
 - 1) The ADU and single-family dwelling together shall be in a direct family relationship to the principal dwelling.
 - 2) An ADU must be located within the appropriate setback lines of the corresponding zoning district.
 - 3) The floor area of an ADU shall be no more than 1,000 square feet
 - 4) An ADU shall adhere to the lot coverage requirements of the corresponding zoning district.
 - 5) ADUs are permitted to have an additional entrance point or to share a common entrance point with the principal building.

- 6) The ADU shall be designed so that the appearance of the building will remain that of a single-family dwelling. The ADU shall not distract from the appearance of the lot as a place of one (1) residence and shall be aesthetically compatible in appearance with other single-family dwellings in the immediate area based on architectural design and exterior materials.
- 7) Upon the construction of an ADU, there shall be a combined off-street parking for a minimum of three (3) automobiles for the parcel. An ADU shall not be permitted to have a separate driveway.
- 8) Leasing or renting an ADU is not permitted.
- 9) The Principal Dwelling Unit and the ADU must share common water, septic, and electric facilities, in compliance with state and county codes.
- 10) The applicant shall submit the following information for administrative review by the Zoning Administrator::
 - i. A plot plan showing the location of the proposed accessory dwelling unit, lot identification (address and property number), size of lot, dimension of lot lines, existing improvements on the lot, location of structures on adjacent lots, abutting streets, driveways, and parking areas.



Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

TO: Howell Township Planning Commission

FROM: Paul Montagno, AICP, Principal and Grayson Moore, Planner

DATE: June 18, 2025

RE: Proposed Zoning Ordinance Amendments for Portable Storage Containers

The following memo addresses concerns which were raised at the May 27, 2025 Planning Commission meeting regarding cargo container regulations. A previously passed ordinance aimed to regulate portable storage containers and cargo containers as they pertain to residential land uses. The amendments proposed add regulations and clarification relating to commercial, office, and industrial use of cargo storage containers. Draft Zoning Ordinance Amendments are attached.

Please note the following of the proposed zoning ordinance:

- In districts which permit more than five (5) cargo containers they must be of a similar neutral color.
- Office, Neighborhood Service Commercial, and Regional Service Commercial Districts are limited to no more than two (2) cargo containers on site and must provide one (1) acre of land per container.
- Cargo containers function as an accessory structure but may be permitted in the absence of a principal building when the primary use of the lot is outdoor storage or another use where the storage function is integral to the principal use.
- In certain circumstances the Planning Commission may approve an increased number of containers if certain conditions are met.

We look forward to discussing these proposed Zoning Ordinance amendments at your next Planning Commission meeting.

Sincerely,

CARLISLE/WORTMAN ASSOC., INC.
Paul Montagno, AICP
Principal

CARLISLE/WORTMAN ASSOC., INC.
Grayson Moore
Community Planner

Benjamin R. Carlisle, *President* John L. Enos, *Vice President* Douglas J. Lewan, *Principal*
 David Scurto, *Principal* Sally M. Elmiger, *Principal* R. Donald Wortman, *Principal* Craig Strong, *Principal*
 Paul Montagno, *Principal*, Megan Masson-Minock, *Principal*, Laura Kreps, *Principal*
 Richard K. Carlisle, *Past President/Senior Principal*

SECTION 1 MODIFY SECTION 2.02, DEFINITIONS, TO MODIFY CARGO CONTAINERS DEFINITION

Cargo Containers. A primarily metal weather-resistant container designed to store or ship goods or building materials. Such containers include reusable steel boxes, freight and bulk shipping containers, and those with similar qualities. ~~which are intended for use as an accessory building or structure.~~

SECTION 2 MODIFY SECTION 4.04, PERMITTED ACCESSORY USES, TO UPDATE CARGO CONTAINER LANGUAGE AS PERMITTED ACCESSORY USES WITHIN THE AGRICULTURAL RESIDENTIAL DISTRICT

SECTION 4.04 PERMITTED ACCESSORY USES.

- A. Buildings and structures customarily incidental to the operation of an agricultural enterprise.
- B. Accessory buildings and structures customarily incidental to single family residential.
- C. Signs related to the permitted agricultural enterprise, provided that all such signs shall conform to the requirements of this Ordinance.
- D. House Hold Pets
- E. Cargo Containers, ~~as an accessory structure,~~ subject to Section 14.07

SECTION 3 MODIFY SECTION 5.04, PERMITTED ACCESSORY USES, TO REMOVE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE RESEARCH AND TECHNOLOGY DISTRICT

Section 5.04 PERMITTED ACCESSORY USES

- A. Normal accessory is uses to all permitted uses in Sections 5.02 and 5.03 above.
- ~~B. Cargo Containers, see Section 14.07~~

SECTION 4 MODIFY SECTION 5.05, PERMITTED CONDITIONAL ACCESSORY USES, TO INCLUDE CONDITIONS FOR CARGO CONTAINERS AS PERMITTED CONDITIONAL ACCESSORY USES WITHIN THE RESEARCH AND TECHNOLOGY DISTRICT

Section 5.05 PERMITTED CONDITIONAL ACCESSORY USES

The following accessory uses are permitted when they are an integral part of the permitted principal use or permitted principal special use and are located within the building or structure housing the permitted use or permitted principal special use or are included as a separate accessory use structure on the site plan upon the site upon which the permitted principal use or permitted principal use or permitted special use are located:

- A. Cafeterias
- B. Medical and health care facilities

- C. Office facilities
- D. Warehouses and storage facilities
- E. Recreation and physical fitness facilities
- F. Banking facilities
- G. Education, library and training facilities
- H. Research, experimentation and development facilities
- I. Truck, other vehicular and equipment maintenance and repair service
- J. Storage Facilities
- K. Sales display facilities and areas
- E. Cargo Containers, ~~see Section 14.07 as an accessory structure~~, subject to Section 14.07
 - 1. Any site containing more than five (5) cargo containers shall ensure that all containers are of a similar, neutral color such as beige, gray, brown, tan, or muted green.

SECTION 5 MODIFY SECTION 8.04, PERMITTED ACCESSORY USES, TO REMOVE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE OFFICE SERVICE DISTRICT

Section 8.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to “Permitted Principal Uses.”
- B. Normal accessory uses to approved “Permitted Principal Special Uses.”
- C. Incidental commercial services that serve only the occupants of the offices and have access only from inside the building in which the occupants are located.
- D. See Section 14.34.
- ~~E. Cargo Containers, subject to Section 14.07~~

SECTION 6 MODIFY SECTION 8.05, PERMITTED ACCESSORY USES WITH CONDITIONS, TO INCLUDE CONDITIONS FOR CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITH CONDITIONS WITHIN THE OFFICE SERVICE DISTRICT

Section 8.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

- 1. Private swimming pools for use as a part of an Office District used in conformance with the provisions of Section 14.18.
- 2. Cargo Containers, ~~as an accessory structure~~, subject to Section 14.07.I
 - a. No more than one cargo container is permitted per acre, with a maximum of two (2) containers per parcel.

SECTION 7 MODIFY SECTION 9.05, PERMITTED ACCESSORY USES WITH CONDITIONS, TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITH CONDITIONS WITHIN THE NEIGHBORHOOD SERVICE COMMERCIAL DISTRICT

~~Section 9.05~~ Section 9.06 DIMENSIONAL REQUIREMENTS EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE.

Section 9.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

1. Cargo Containers as an accessory structure, subject to Section 14.07.I
 - a. No more than one cargo container is permitted per acre, with a maximum of two containers per parcel.

SECTION 8 MODIFY SECTION 10.04, PERMITTED ACCESSORY USES, TO REMOVE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE REGIONAL SERVICE COMMERCIAL DISTRICT

Section 10.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.” See Section 14.34. 14.

~~C. Cargo Containers, subject to Section 14.07~~

SECTION 9 MODIFY SECTION 10.05, PERMITTED ACCESSORY USES WITH CONDITIONS, TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITH CONDITIONS WITHIN THE REGIONAL SERVICE COMMERCIAL DISTRICT

~~Section 10.05~~ Section 10.06 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE.

Section 10.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

- A. Cargo Containers, as an accessory structure, subject to Section 14.07.I
 1. No more than one cargo container is permitted per acre, with a maximum of two (2) containers per parcel.

SECTION 10 MODIFY SECTION 11.04, PERMITTED ACCESSORY USES, TO REMOVE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE HIGHWAY SERVICE COMMERCIAL DISTRICT

Section 11.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.”

~~C. Cargo Containers, subject to Section 14.07~~

SECTION 11 MODIFY SECTION 11.05, PERMITTED ACCESSORY USES WITH CONDITIONS, TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITH CONDITIONS WITHIN THE HIGHWAY SERVICE COMMERCIAL DISTRICT

Section 11.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

- A. Swimming pools for use as a part of a Highway Service Commercial District. Use in conformance with the provisions of Section 14.18.
- B. Cargo Containers, as an accessory structure, subject to Section 14.07.
 - 1. Any site containing more than five (5) cargo containers shall ensure that all containers are of a similar, neutral color such as beige, gray, brown, tan, or muted green.

SECTION 12 MODIFY SECTION 12.04, PERMITTED ACCESSORY USES, TO REMOVE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE INDUSTRIAL FLEX ZONE

Section 12.04 PERMITTED ACCESSORY USES.

A. All normal accessory uses to all “Permitted Principal Uses” and “Permitted Principal Special Uses” including:

- 1. Restaurants.
- 2. Cafeterias.
- 3. Medical and health care facilities.
- 4. Office facilities.
- 5. Warehouse and storage facilities.
- 6. Physical fitness facilities.
- 7. Work clothing sales and service facilities.
- 8. Banking facilities.
- 9. Education, library and training facilities.
- 10. Research and experimentation facilities.
- 11. Truck or other vehicular and equipment service maintenance, repair and storage facilities conducted completely within a building or structure.
- 12. Indoor sales display areas.
- 13. See Section 14.34.
- ~~14. Cargo Containers, subject to Section 14.07~~

SECTION 13 MODIFY SECTION 12.05, PERMITTED ACCESSORY USES WITH CONDITIONS, TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITH CONDITIONS WITHIN THE INDUSTRIAL FLEX ZONE

~~Section 12.05~~ Section 12.06 REQUIRED CONDITIONS OF ALL DISTRICT USES.

~~Section 12.06~~ Section 12.07 DIMENSIONAL REQUIREMENTS, EXCEPT AS OTHERWISE SPECIFIED IN THIS ORDINANCE.

Section 12.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

A. Cargo Containers, as an accessory structure, subject to Section 14.07.

1. The Planning Commission may approve an increased number of cargo containers if all the following conditions are met:
 - a. The additional containers do not adversely impact adjacent properties or the character of the district.
 - b. The primary use of the parcel is an industrial, warehousing, distribution, or a use of a similar manner where additional on-site storage is demonstrably necessary to support the principal operations.
 - c. Containers will not occupy any required parking spaces.
 - d. All containers are appropriately screened and do not obstruct access or circulation.
2. Any site containing more than five (5) cargo containers shall ensure that all containers are of a similar, neutral color such as a beige, gray, brown, tan, or muted green.
3. Cargo containers may be permitted in the absence of a principal building when the primary use of the lot is outdoor storage or other use where the storage function is integral to the principal use.
4. Cargo containers being used to store or ship goods or building materials associated with a storage or shipping facility shall not be subject to limitations on the number of containers permitted.

SECTION 14 MODIFY SECTION 13.04, PERMITTED ACCESSORY USES, TO REMOVE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE INDUSTRIAL DISTRICT

Section 13.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all Permitted Principal Uses.
- B. Normal accessory uses to all Permitted Principal Special Uses.
- C. See Section 14.34

~~D. Cargo Containers, see Section 14.07~~

SECTION 15 MODIFY SECTION 13.05, PERMITTED ACCESSORY USES WITH CONDITIONS, TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITH CONDITIONS WITHIN THE INDUSTRIAL DISTRICT

Section 13.05 PERMITTED ACCESSORY USES WITH CONDITIONS.

The following uses are permitted when they are an integral part of the building or structure or are included as a part of the site development upon which the principal use is located:

- 1) Restaurants
- 2) Medical and health care facilities
- 3) Office facilities
- 4) Warehouse and storage facilities

- 5) Recreation and physical fitness facilities
- 6) Work-clothing sales and service facilities
- 7) Banking facilities
- 8) Education, library and training facilities
- 9) Research and experimentation facilities
- 10) Truck and equipment service, maintenance, repair and storage facilities
- 11) Sales display facilities and areas
- 12) See Section 14.34
- 13) Cargo Containers as an accessory structure, subject to Section 14.07
 - a. The Planning Commission may approve an increased number of cargo containers if all the following conditions are met:
 - i. The primary use of the parcel is industrial, warehousing, distribution, or use of a similar manner.
 - ii. The containers are able to be arranged in a safe, orderly manner and do not interfere with emergency access, traffic flow, or required parking.
 - iii. All containers are appropriately screened and do not obstruct access or circulation.
 - b. Any site containing more than five (5) cargo containers shall ensure that all containers are of a similar, neutral color such as beige, gray, brown, tan, or muted green.
 - c. Cargo containers may be permitted in the absence of a principal building when the primary use of the lot is outdoor storage or another use where the storage function is integral to the principal use.
 - d. All cargo containers must comply with the additional requirements outlined in Section 14.07.I
 - e. Cargo containers being used to store or ship goods or building materials associated with a storage or shipping facility, shall not be subject to limitations on the number of containers permitted.

SECTION 16 MODIFY SECTION 14.07 TO UPDATE CARGO CONTAINER PROVISIONS

Section 14.07 ACCESSORY BUILDING PROVISIONS.

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

A. Residential accessory building or structures having two-hundred (200) square feet or less of internal floor area, which is used for any purpose other than the housing of humans, but is primarily to be use for the housing of non human purpose such as pets, yard equipment, yard maintenance supplies, tools, toys, including motorized or non motorized bicycles and types of household equipment, and which -structures do not have to meet the requirements of the Livingston County Construction Code and will not be built on a structural foundation as required in the Construction Code for other types of buildings, shall still adhere to the requirements of this section including the

need for zoning permits and payment of fees required under other provisions of this Ordinance including the requirements in subsection B. below.

B. Detached accessory buildings and structures shall be located entirely in the rear yard outside of the side and rear setback with the following exceptions:

1. Said building or structure is being constructed pursuant to a Special Use Permit, and in that case, the Township Board after receiving the recommendation of the Planning Commission may authorize the location of the accessory building in any required yard.
2. For accessory buildings or structures to a residential use, if the primary residence is situated in the rear portion of a parcel over 2 acres, an accessory buildings or structure may be in the front yard if it:
 - a. Is setback at least 100 feet from the edge of the road right-of-way.
 - b. Meets the required side yard setback.
 - c. Is designed to be architecturally compatible with the principal building or structure, or screening that provides 80% opacity is provided between the buildings or structure and immediately adjacent neighboring properties and the road.
 - d. Has a roof overhang or eave of not less than twelve (12) inches on all sides, or alternatively with windowsills or roof drainage systems concentrating roof drainage at collection points along the sides of the building or structure.
 - e. In no instance shall an accessory building or structure be located within a dedicated easement right-of-way.

C. Accessory buildings located on lots and parcels in all Zoning Districts shall be subject to the following regulations:

| LOT OR PARCEL AREA REGULATION | REGULATION | MAXIMUM SQUARE FOOTAGE* |
|----------------------------------|--|----------------------------|
| 12,000 sq. ft. to 0.9 acre | 4% of lot area | 800 sq. ft. |
| 1 acre to 1.9 acres | 4% of lot area | 2000 sq. ft. |
| 2 acres to under 19.9 acres | 4% of lot area, except that commercial agricultural farm operations shall be excluded from this regulation | 3000 sq ft. |
| 20 acres and above | Subject to Max lot coverage | No limit |

D. No detached accessory buildings or structures – shall be located closer than ten (10) feet to any main building.

E. No detached accessory building or structure in AR, SFR, MFR, NSC, OS Districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings or structures in all other districts may be constructed to equal the permitted maximum height in said districts. Height shall be measured in accordance with Article II Definition 24.

F. When accessory buildings or structures are located on a corner lot, they shall not be located in any front yard or side yard, unless it is determined by the Zoning Administrator that there is insufficient rear yard in which to locate them, in which case they may be permitted in the side yard so long as the following criteria are met:

1. Insufficient rear yard shall mean there are natural features such as steep slopes, wetlands or that the location of a well or septic field would preclude the placement of such accessory building or structure.
2. **Front Yard:** The accessory building or structure shall not encroach into the front yard
3. **Side Yard Setback:** The accessory building or structure shall not encroach into the required side yard setback.
4. **Height Limitation:** The height of the building or structure must not exceed 15 feet when located in the front or side yard.
5. **Sight Lines at Intersections:** The accessory building or structure must not fall within a 15-foot visibility triangle at the corner of the lot.

G. In no instance shall an accessory building or structure be allowed until there is a principal building or structure located on the lot or parcel of land.

H. No accessory building or structure shall be used as a dwelling, lodging or sleeping quarters for human beings, except as otherwise permitted in this Ordinance.

~~I. Additional standards for Cargo Containers to be used as an accessory building or structure to a residential use.~~ Cargo Container standards.

~~1. Containers shall not be stacked above the height of a single container.~~

1. The exterior appearance of all cargo containers shall be maintained in a clean and structurally sound condition, free from any visible rust, corrosion, holes, or other signs of deterioration that could compromise the container's appearance or structural integrity.

~~3. No writing, advertising, or graphics are permitted on the exterior of the container.~~

2. Cargo containers shall be completely screened from view of abutting properties and/or rights-of-ways by a fence or vegetative screening that meets the requirements of Section 14.26 Fences and 28.03 Specific Landscaping Requirements for Zoning Districts.

3. Cargo containers shall be subject to the requirements for Intermodal Shipping Containers in the International Building Code.

4. No plumbing or electricity may be connected to a cargo container.

5. No livestock or pets may be housed in a cargo container.

6. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*

7. A cargo container shall not be permitted in the front yard.

- ~~11. No more than one cargo container is permitted per acre, with a maximum of two containers per parcel. This limit does not apply to containers located in the Agricultural Residential Zoning District when they are used in a manner consistent with Generally Accepted Management Practices under the Michigan Right to Farm Act.~~
8. Cargo containers to be used as accessory structures on a parcel that is not used or zoned for residential shall abide by accessory building regulations in 14.07.C.
9. Additional standards for Cargo Containers to be used as an accessory building or structure to a residential use.
- i. Containers shall not be stacked above the height of a single container.
 - ii. No writing, advertising, or graphics are permitted on the exterior of the container.
 - iii. No more than one cargo container is permitted per acre, with a maximum of two containers per parcel. This limit does not apply to containers located in the Agricultural Residential Zoning District when they are used in a manner consistent with Generally Accepted Management Practices under the Michigan Right to Farm Act.