



**COHOCTAH PLANNING COMMISSION
MEETING
July 02, 2026 at 7:00 PM
Township Hall | Fowlerville, Michigan**

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon 72 hour advance notice by contacting Barb Fear, Township Clerk, by email: bfearclerk@gmail.com, phone: (517) 546-0655, or mail: 10518 N Antcliff Rd Fowlerville MI 48836.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE – *Moment of Silence*

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Minutes of meeting 05-07-26

CALL TO THE PUBLIC

MATTERS PERTAINING TO THE GENERAL PUBLIC

- [2.](#) Land Use Application- 10700 N Antcliff Rd.

UNFINISHED BUSINESS

- [3.](#) Livingston County Planning Commission review of Essential Service Ordinance 06-17-26

NEW BUSINESS

- [4.](#) Small Box Store Attached Memo for discussion
- [5.](#) Data Center Draft Ordinance Attached for discussion
6. PC Chair, Buttermore to give Planning Commission members direction for review of Cohoctah Zoning Ordinance

CALL TO THE PUBLIC

ADJOURNMENT



COHOCTAH PLANNING COMMISSION MEETING

May 07, 2026 at 7:00 PM
Township Hall | Fowlerville, Michigan

The Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting upon 72 hour advance notice by contacting Barb Fear, Township Clerk, by email: bfearclerk@gmail.com, phone: (517) 546-0655, or mail: 10518 N Antcliff Rd Fowlerville MI 48836.

MINUTES

CALL TO ORDER

PLEDGE OF ALLEGIANCE – *Moment of Silence*

ROLL CALL

PRESENT: Jessica Buttermore, Phil Charette, Mark Cican, Kyle Engel, Sarah Newton, Clint Beach, Ken Carmack

APPROVAL OF AGENDA

Motion made by Cican, Seconded by Beach. to approve the agenda as presented.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

APPROVAL OF MINUTES

1. Minute 04-07-2026

Approval of the meeting minutes from 04-07-26 per the requested revisions by Buttermore,

Motion made by Beach, Seconded by Engel.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

CALL TO THE PUBLIC

MATTERS PERTAINING TO THE GENERAL PUBLIC

2. Private Road Agreement

Planning commission requested shared road agreement be signed by all property owners, once completed it will be on the Agenda for the June 4th, 2026, meeting

3. Temporary Mobile Housing- 4702-20-400-025 Schrepfer Rd.

Approved

Motion made by Beach, Seconded by Cican.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

4. Land Use permit in Settlement- 6893 Sanford Rd

Approved per the marked-up site plan

Barn/Shed cannot be used for living purposes

Motion made by Engel, Seconded by Beach.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

5. Land use- settlement 1235 west Cohoctah road

Approved per the Option 2 revised site plan

Barn cannot be used for living purposes

Motion made by Beach, Seconded by Cican.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

UNFINISHED BUSINESS

6. Review Revised Ordinance

Motion to recommend for Livingston County Planning Commission review and Cohoctah Township Board review.

Motion made by Carmack, Seconded by Beach.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

NEW BUSINESS

None

CALL TO THE PUBLIC

Public comment received

Thomas Taylor, submitted a land use permit and asked a couple of questions

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:56 pm.

Motion made by Engel, Seconded by Charette.

Voting Yea: Buttermore, Charette, Cican, Engel, Newton, Beach, Carmack

RECEIVED
6-25-24
COHOCTAH TOWNSHIP

APPLICATION FOR LAND USE PERMIT
COHOCTAH TOWNSHIP

Land Use No. 45-2024
Fee 450

DELIVER/MAIL TO: COHOCTAH TOWNSHIP 10518 ANTCLIFF RD FOWLerville MI 48836

OWNER Matt and Dana Hoisington DATE 6-25-26
ADDRESS 4751 Gannon Rd. TAX CODE NO. 09-100-017
CITY Fowlerville ZIP 48836 PHONE (517) 304-1470

Contractor (if applicable) owner Address _____

City _____ Zip _____ Phone _____

Site Address 10700 N. Antcliff Rd Nearest Crossroads Between Ellis and Gannon

Size of lot: Front _____ Rear _____ Side _____ Side _____ Acres 2

Zoning District _____

Type of construction: _____ *Check if structure is located in a flood plain _____

Principal Structure
 New Single Family Addition Attached Garage Other remodel of existing space

Accessory Structure
 Detached Garage, Shed, or Pole Barn Deck Fence Pool/Hot Tub Sign Other

Foundation: Basement Crawlspace Slab Posts Other

Size of structure: Width 22 Length 72 Height 8'

Square feet: 1st Floor 1107 2nd Floor _____ 3rd Floor _____

Structure setback (feet from property line): Front 100 Rear 220 Side 100 Side 78

____ Attach a drawing showing the following: dimensions of property, all roads adjacent to property, easements, wetlands, lakes and streams, all structures, existing or proposed wells, septic tanks and fields, dimensions of structures to property lines, dimensions of proposed structure including height.

____ Attach two sets of construction plans, plus one site plan.

____ Attach document verifying proof of ownership (i.e. tax bill, property transfer affidavit, deed) **NOTICE: Applications in the settlement districts must go before the Planning Commission** (Meets the 1st Thursday of every month)

Land Use No _____

LAND USE PERMIT FEES (accepted in check or cash only)

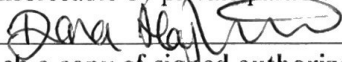
Residential.....\$50.00
Commercial/Industrial.....\$200.00 + \$3,000.00 (toward 3% inspection fee)

After obtaining a Land Use Permit, you must contact the Livingston County Building Department (517-546-3240) to pull a building permit. You may be required to obtain permits from the following: Health Department (517-546-9850), Drain Commission (517-546-0040), Road Commission (517-546-4250) and any other applicable permits.

NOTICE: PLEASE READ AND INITIAL EACH

- DH 1. Land use Permit shall be null and void if proposed development does not have its first inspection within one (1) year.
- DH 2. Applicant shall notify Zoning Administrator at time of staking out foundation, then after digging but before pouring foundation, and again/or for compliance with Site Plan including driveways, screening, fencing, parking areas, signs, etc. as applicable. ***FAILURE TO DO SO WILL AUTOMATICALLY CANCEL YOUR LAND USE PERMIT REQUIRING YOU TO REAPPLY. A CANCELLED LAND USE PERMIT AUTOMATICALLY CANCELS COUNTY BUILDING PERMITS (21.04E5)!**
- DH 3. Applicant shall notify Zoning Administrator when construction is ready for final inspection for issuance of **CERTIFICATE OF COMPLIANCE. A CERTIFICATE OF COMPLIANCE MUST BE OBTAINED BEFORE THE LIVINGSTON COUNTY BUILDING DEPARTMENT WILLISSUE A CERTIFICATE OF OCCUPANCY ON NEW RESIDENCES, BUILD-OUT ADDITIONS, OR COMMERCIAL.**
- DH 4. The Zoning Administrator may suspend or revoke a permit issued in error or on the basis of incorrect information supplied by the applicant or agent or in the event of violation of any of the ordinances or regulations of the Township.

I hereby certify that all information attached to this application is true and accurate to the best of my knowledge. I certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application and agree to conform to all applicable ordinances of Cohoctah Township. I acknowledge that private covenants and restrictions are potentially enforceable by private parties.

Authorized Applicant Signature  Printed Name Dana Hoisington

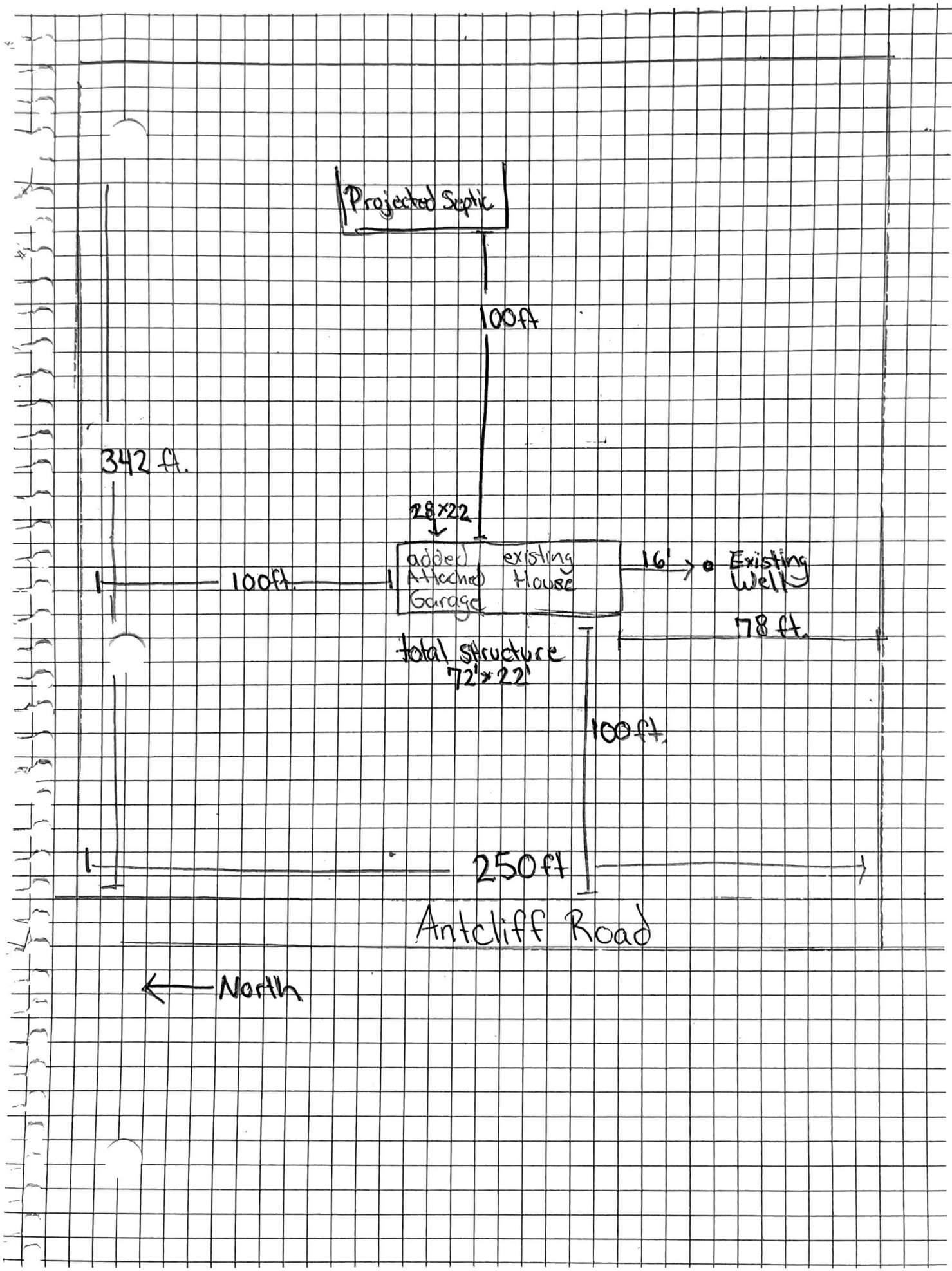
If not property owner, attach a copy of signed authorization

+++++
TOWNSHIP USE ONLY

Zoning Administrator _____ Date _____

Phone No. _____

____ Approved _____ Disapproved Comments _____



Projected Septic

100ft

342 ft.

28x22

100ft.

added Attached Garage existing House

16'

Existing Well

total structure 72'x22'

78 ft.

100ft.

250ft

Antcliff Road

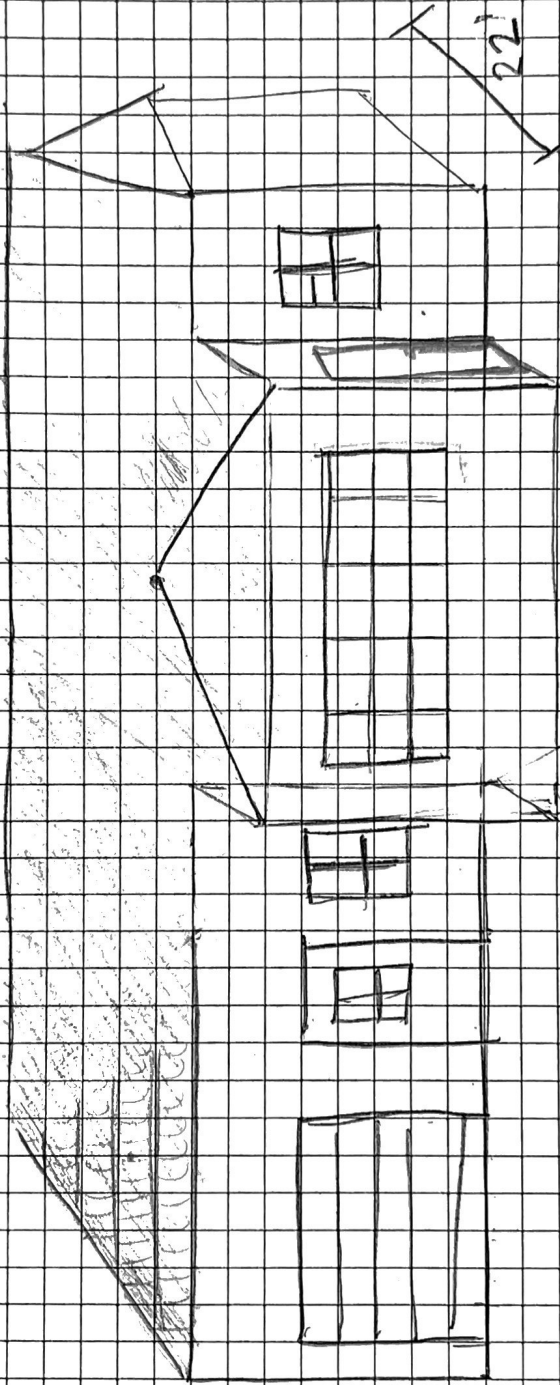
← North

Attached garage 28' x 22'

28'

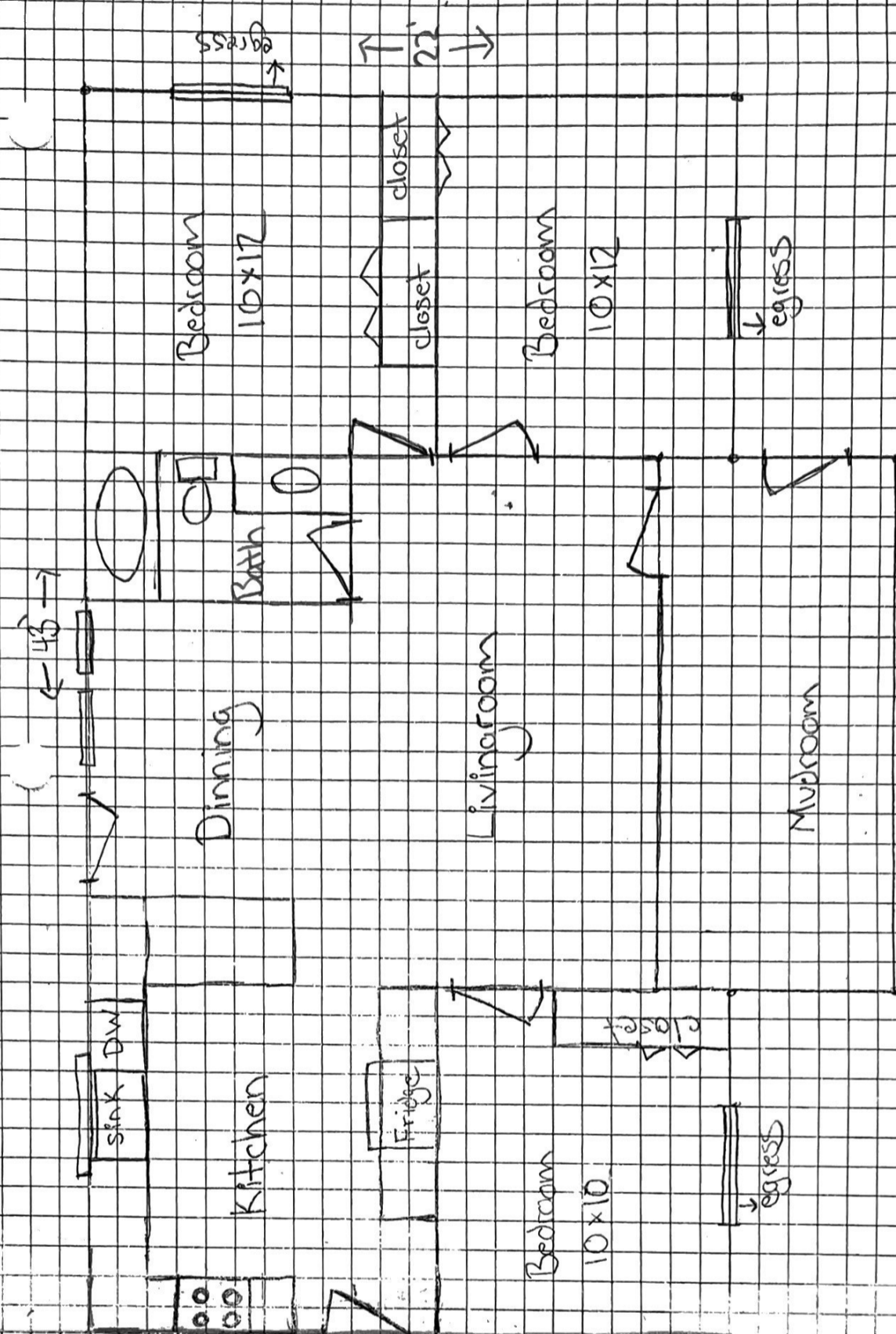
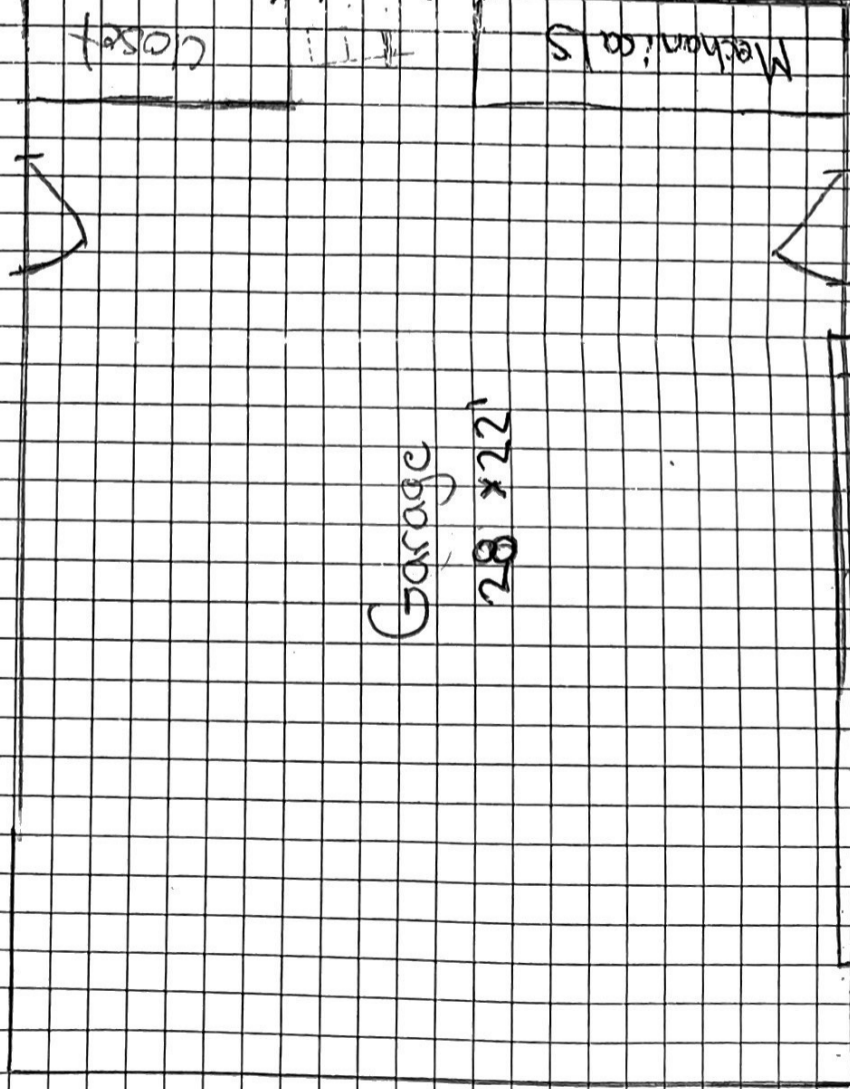
22'

72'



5. 4 ft x 11 ft x 11 ft

Garage
28 x 22'





Livingston County Department of Planning

MEMORANDUM

Scott Barb
AICP, PEM
Planning Director

TO: Livingston County Planning Commission and the Cohoctah Township Board of Trustees

Robert A. Stanford
AICP, PEM
Principal Planner

FROM: Martha Haglund, Principal Planner

DATE: June 08, 2026

Martha Haglund
AICP
Principal Planner

SUBJECT: Z-17-26: Article 16.19 Essential Services

Abby Carrigan
Planning Intern

The Cohoctah Township Planning Commission is proposing to amend their Zoning Ordinance to include standards and siting regulations for essential services including electrical substations. The proposed language only permits substations within the Renewable Energy Overlay. Also, the proposed ordinance uses terms such as “participating” and “non-participating” properties. These terms are associated with state statute PA 233 of 2023 regulating Utility-Scale Renewable Energy Facilities. Although it is not specifically entitled as so, it appears the proposed ordinance is seeking to regulate substations connected to utility-scale renewable energy projects.

Staff reviewed the proposed amendments for accuracy and compatibility with the existing ordinance language and offers the following summary for your review. Staff comments are noted throughout.

Department Information

Administration Building
304 E. Grand River Ave.
Suite 206

•
(517) 546-7555
Fax (517) 552-2347

•
Web Site
Milivcounty.com/planning

Background

In early 2025, ITC Transmission introduced new routes to upgrade the 345 kV, high-voltage transmission lines. Included in the plans is a new substation near Sabine Lake, located off Flemming Rd. in Cohoctah Township’s Renewable Energy Overlay. The proposed upgrades are likely the motivation behind the township revisiting their Essential Services Ordinance.

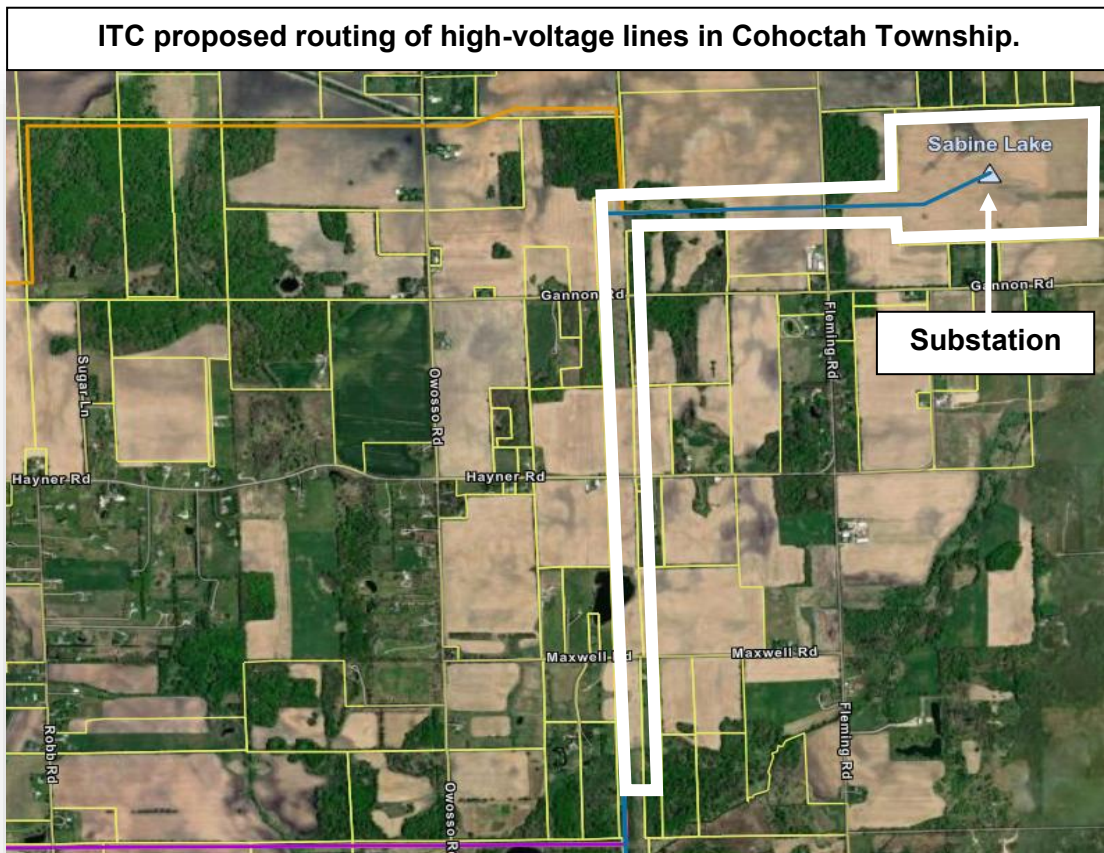
Under PA 30 of 1995 the Michigan Public Service Commission (MPSC) holds legal authority over routing of 345 kV, high-voltage powerlines. However, local authority can regulate substations to those lines to the extent that the development meets aesthetics standards such as screening, building appearance and landscape maintenance plan.

Under Public Act 233 of 2023, provisions are established for utility-scale renewable energy projects, specifically including 50 MW of solar energy, 100 MW of wind energy, and 50 MW of battery storage. The associated electrical substations are considered part of the “Solar Energy Facility” and are subject to oversight of the Michigan Public Service Commission (MPSC). This oversight



applies unless the local municipality has adopted a Compatible Renewable Energy Ordinance (CREO), which cannot be more restrictive than Section 226(8) of PA 233. This was reinforced in a recent ruling regarding the Implementation of Provisions from Public Act 233 of 2023 (COA Docket No. 373259); in which over 75 townships (including Cohoctah Township) filed lawsuit in 2024 challenging a MPSC order implementing the 2023 law moving siting of renewable energy projects to the commission. One of the determinates was that the MSPC's interpretation was correct, that a CERO cannot be more restrictive than PA 233 of 2023 Section 226(8).

Additionally, Cohoctah Township is in a legal dispute over a proposed utility-scale solar project, Headland Solar (Case No. U-22004). The case does not involve a disagreement over Cohoctah Township having a CREO. Instead, it focuses on whether the project received valid approval under PA 233 of 2023 when it was granted an Approval with Conditions by the Township Board in September 2025. On May 20, 2026, the MSPC released their response denying the motion for summary disposition for leave to appeal. The determination essentially concluded that approval with conditions was not valid, because PA 233 of 2023 only references an outright denial or approval of applications, omitting the possibility of a conditional approval. The case will continue to be litigated but it seems likely the MSPC may have oversight over the Headland project and any substations therein.





Definition from PA 233 of 2023 Solar Energy Facility: “Solar energy facility” means a system that captures and converts solar energy into electricity, for the purpose of sale or for use in locations other than solely the solar energy facility property. Solar energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: photovoltaic solar panels; solar inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; **substations**; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; utility lines and installations; generation tie lines; solar monitoring stations; and accessory equipment and structures.

PA 233 of 2023 Section 226 (8)-Solar

- (8) An energy facility meets the requirements of subsection (7)(g) if it will comply with the following standards, as applicable:
 - a. For a solar energy facility, all of the following:
 - i. The following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

<u>Setback Description</u>	<u>Setback Distance</u>
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

- ii. Fencing for the solar energy facility complies with the latest version of the National Electric Code as of the effective date of the amendatory act that added this section or any applicable successor standard approved by the commission as reasonable and consistent with the purposes of this subsection.
- iii. Solar panel components do not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.
- iv. The solar energy facility does 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.
- v. The solar energy facility will implement dark sky-friendly lighting solutions.
- vi. The solar energy facility will comply with any more stringent requirements adopted by the commission. Before adopting such requirements, the commission must determine that the requirements are necessary for compliance with state or federal environmental regulations.



Replace Section 16.19, Supplemental Regulations- “Essential Services” in its entirety

Sec. 16.19. - Essential services.

A. General Regulations.

1. Essential services shall include the erection, construction, alteration or maintenance by public utilities, municipal departments, or other governmental agencies of underground or overhead gas, electrical, communication, steam, or water transmission or distribution systems or collection, supply or disposal systems, including electric power stations, relay stations, switching stations, gas regulator stations, pumping stations, poles, wires, mains, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, police or other call boxes, traffic signals, hydrants and other similar facilities, equipment and accessories in connection therewith reasonably necessary for furnishing adequate service by such utilities or agencies, or for the public health or safety or general welfare; but not including offices and buildings or yards used for bulk storage, fabrication, or manufacture of materials used by such utilities or municipal departments or other governmental agencies.
2. No such building constructed as a part of an essential service shall be used for human occupancy.
3. All essential services must conform to the provisions of this Ordinance and all county, state, and federal regulations and safety requirements, including applicable building codes.
4. If an applicant, owner, or operator of an essential service fails to comply with this Ordinance, the Township, in addition to any other remedy under this Ordinance, may revoke any approvals after giving the applicant notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township’s actual attorney fees and costs.
5. The surface of land used for pipeline rights-of-way and underground equipment or structures shall be restored and maintained as near as possible to its original conditions prior to the construction of the pipeline.
6. Essential services in all districts shall meet the requirements of the SR Residential District for all buildings, structures, and areas used for offices, power generators, power transformers, electric substations and electric switching stations, storage, fabrication or manufacture of materials necessary to the provision of essential services.
7. Electrical Substations and Electrical Switching Stations must also comply with the requirements of Section 13.28. If a conflict exists between the requirements of the SR Residential District and Section 13.28, the more restrictive regulation controls.



New Section 13.28 Special Uses: is added to the Zoning Ordinance, and reads in its entirety as follows:

Sec. 13.28. Electrical Substations and Electrical Switching Stations.

Staff Comments: The following ordinance language applies only to substations in the Renewable Energy Overlay and connected to a utility-scale renewable energy project. The ordinance should be renamed to reference this.

Staff Comments: The 13.28 section number is already in use as Utility-Scale Battery Energy Storage Ordinance. The correct section number would be 13.29. The Township is aware of this and will make the modification.

Electrical substations and electrical switching stations require Special Land Use approval in accordance with Article 13 and Site Plan Review in accordance with Article 20. Electrical substations and electrical switching stations are also subject to the following requirements.

- A. *Special Land Use Permit Application Requirements.* In addition to the requirements of Article 13, the applicant for an electrical substation or electrical switching station must provide the Township with all of the following:
1. The name of the applicant, any parent company, subsidiary of the parent company or any entity “doing business as” of the parent company.
 2. Application fee in an amount set by resolution or fee schedule approved by the Township Board.
 3. The Applicant shall deposit funds in an escrow fund with the Township. The escrow is used to cover all costs and expenses associated with the special land use and site plan review and/or approval process, which costs can include, but are not limited to, review fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates will be required during the review and/or approval process for the application. The Township Board may from time to time by resolution set the initial escrow amount. At any point during the review process, the Township may require that the applicant place additional monies into escrow with the Township if the existing escrowed funds on account with the Township will be insufficient, in the determination of the Township, to cover any remaining costs or expenses with the review and/or approval process. If additional funds are required by the Township to be placed in escrow and the applicant refuses to do so within 14 days after receiving notice, the Township will cease the zoning review and/or approval process until and unless the applicant makes the required escrow deposit. Any escrow amounts in excess of actual cost will be returned to the applicant. An itemized billing of all expenses will be



provided to the applicant upon request.

4. A list of all parcel numbers that will be used by the electrical substation or electrical switching station including applicable attachments, establishing ownership of each parcel, with memoranda of all lease agreements, easements, or purchase agreements for the subject parcels. All agreements related to the use of the subject parcels and not defined as confidential under Michigan law must be recorded with the Livingston County Register of Deeds.
5. An operations agreement setting forth the operations parameters, the name and contact information of the certified operator, the applicant's inspection protocol, emergency procedures, and general safety documentation.
6. A written emergency response plan detailing the applicant's plan for responding to emergencies, including fire emergencies, and analyzing whether adequate resources exist to respond to fires and other emergencies. If adequate resources do not exist, the applicant must identify its plan for providing those resources.
7. A written description of the fire suppression system that will be installed, which must identify the manufacturer of the fire suppression system and generally describe its operations and capacity to extinguish fires.
8. Current ground and aerial photographs of the property, including both a physical and electronic copy of the photographs.
9. A written plan for maintaining the subject property, including a plan for maintaining and inspecting drain tiles and addressing stormwater management.
10. A transportation plan for construction and operation phases, including any applicable agreements with the Livingston County Road Commission and Michigan Department of Transportation.
11. An attestation that the applicant will indemnify and hold the Township, its elected and appointed officials, employees, volunteers, and agents harmless from any costs or liability arising from the approval, installation, construction, maintenance, use, repair, or removal of the electrical substation or electrical switching station. The Township shall be named as an additional insured for such indemnity.
12. A ground cover vegetation establishment and management plan that complies with this ordinance.
13. Proof of environmental compliance, including compliance with Part 31, Water



Resources Protection, of the Natural Resources and Environmental Protection Act; (MCL 324.3101 et. seq.; Part 91, Soil Erosion and Sedimentation Control (MCL 324.9101 et. seq.) and any corresponding County ordinances; Part 301, Inland Lakes and Streams, (MCL 324.30101 et. seq.); Part 303, Wetlands (MCL 324.30301 et. seq.); Part 365, Endangered Species Protection (MCL324.36501 et. seq.); and any other applicable laws and rules in force at the time the application

is considered by the Township.

14. A groundwater analysis of all parcels in the participating property.
15. Any additional information or documentation requested by the Planning Commission, Township Board, or other Township representative.

B. *Site Plan Application Requirements.*

1. *Contents of Site Plan.* In addition to the requirements in Article 20, the applicant must provide a boundary survey by a surveyor licensed in the State of Michigan of the project and a detailed site plan draft to a scale of 1" = 200 feet with the following:
 - a. Location of all existing and proposed structures, equipment, electrical tie lines, transmission lines, transformers, inverters, substations, security fencing, and all other components of the electrical substation or electrical switching station within the participating property and all dwellings and/or structures within 1000 feet of the property lines of the participating property.
 - b. Depiction (to scale) of all setbacks, property lines, fences, signs, greenbelts, screening, drain tiles, easements, flood plains, bodies of water, proposed access drives, and road rights of way.
 - c. Plan for any land clearing and grading required for the installation and operation of the electrical substation or electrical switching station.
 - d. Plan for ground cover establishment and management.
 - e. Description of measures to be taken to support the flow of rainwater and/or stormwater management.
 - f. Security plan detailing measures to prevent unauthorized trespass and access during the construction, operation, removal, maintenance, or repair of the electrical substation or electrical switching station.
 - g. A maintenance plan, including landscaping upkeep, regular checks, and



maintenance for the equipment, and decommissioning and removal. The description shall include maintenance schedules, types of maintenance to be performed, and decommissioning and removal procedures and schedules if the electrical substation or electrical switching station is decommissioned. The maintenance plan must include a plan for maintaining all setback areas.

- h. Anticipated construction schedule, including timeline to completion and scope of work.
- i. Sound modeling study including sound isolines extending from the sound sources to the property lines.
- j. Any additional studies requested by the Planning Commission, including but not limited to the following:
 - i. Visual Impact Assessment: A technical analysis by a third-party qualified professional acceptable to the Township of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like (including proposed landscaping and other screening measures), a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project.
 - ii. Environmental Analysis.
 - (a) The applicant shall have a third-party qualified professional, acceptable to the Township, conduct an analysis 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.
 - (b) The 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 Michigan Natural Resources and Environmental Protection Act (Act 451 of 1994, MCL 324.101 et seq.) including but not limited to Part 31 Water Resources Protection (MCL 324.3101 et seq.), Part 91 Soil Erosion and Sedimentation Control (MCL 324.9101 et seq.), Part 301 Inland Lakes and Streams (MCL 324.30101 et seq.), Part



303 Wetlands (MCL 324.30301 et seq.), Part 323 Shoreland Protection and Management (MCL 324.32301 et seq.), Part 325 Great Lakes Submerged Lands (MCL 324.32501 et seq.), and Part 353 Sand Dunes Protection and Management (MCL 324.35301 et seq.).

(c) **Wildlife Impact:** A wildlife impact study, including an analysis of the impact on the properties within one mile of the project.

- k. Electrical substations or electrical switching stations are not permitted on property enrolled in the Farmland and Open Space Preservation Act, being in PA 116, of 1974, now codified in Part 361 of the Natural Resources and Environmental Protection Act, PA 451 of 1974, as amended. However, a Site Plan may be approved for such property, conditioned upon relinquishment of the PA116 agreement by the Michigan Department of Agriculture and Rural Development.
1. *Conceptual Layout Plan.* Applicants may submit an optional conceptual layout plan for review prior to submission of a formal site plan. The conceptual site plan may be reviewed by the Planning Commission to allow for discussion and feedback.
- m. *Approvals from Other Agencies.* Final site plan approval and building permits may be granted only after the applicant receives (1) all required federal and state approvals, and (2) approval by the local fire chief, county drain commissioner, county road commission, local airport zoning authority (if applicable), county building department, and any other federal, state or local agency having jurisdiction or authority to grant permits related to the electrical substation or electrical switching station, including NERC and FERC.
- n. *Application Items as Substantive Requirements.* The information, plans, documents, and other items identified as application requirements in this ordinance, including the site plan and special land use permit, are substantive requirements for obtaining approval for an electrical substation or electrical switching station. The Planning Commission will review the sufficiency of the application materials. If the Planning Commission determines that the substance of any application item is insufficient to protect the public health, safety, and welfare, the Planning Commission may deny approval on that basis.

C. *System and Location Requirements.*

1. Electrical substations or electrical switching stations are only permitted within



the Renewable Energy Systems Overlay District.

2. Electrical substations and electrical switching stations must be set back at least 250 feet from the nearest property line of any non-participating property at the time of application. In addition, if a non-participating dwelling is within 500 feet of said setback, the setback must be increased to maintain 500 feet from said dwelling. If a single electrical substation or electrical switching station is located on more than one lot, or if the adjacent parcel is owned by the same owner as the property on which the electrical substation or electrical switching station is located, then the lot-line setbacks of this subsection do not apply to the lot lines shared by those lots. All property in the setback areas, if not farmed, shall be maintained as defined in a maintenance setback plan acceptable to the Township.

Staff Comments: The ordinance restricts placement exclusively within the renewable energy overlay with more restrictive setbacks than PA 233 of 2023. Making this unenforceable we recommend adopting setback language compatible with state statute:

- 50 feet from the Right of Way
- 50 feet from Property Lines
- 300 feet from Dwellings on non-participating properties

3. Electrical substations and electrical switching stations must be set back at least 100 feet from the edge of any wetland, shoreline, or drain easement. The Planning Commission may increase this setback requirement up to 200 feet if the Planning Commission determines that such a setback is necessary to protect the public health, safety, and welfare.
4. The height of the electrical substation or electrical switching station and any accessory structures, and related equipment must not exceed 25 feet. Lightning rods shall not exceed 25 feet in height or the height of the substation or switching station, whatever is less, and shall not be any greater than necessary to protect the electrical substation or electrical switching station from lightning.
5. *Permits.* All required county, state, and federal permits must be obtained before final site plan approval and before the electrical substation or electrical switching station begins operating.
6. *Screening.* Greenbelt screening is required around any electrical substation or electrical switching station and around any equipment associated with the same to obscure, to the greatest extent possible, the electrical substation or electrical switching station from any adjacent residences, as described below, or as otherwise approved by the Planning Commission:
 - a. The screening shall be installed to obscure the electrical substation or electrical switching station and shall contain two rows of staggered evergreen trees planted not more than twelve (12) feet



apart trunk to trunk, and the two rows shall be no greater than ten (10) ft apart. The Township may consider an alternative landscape buffer as a part of the special land use approval, provided the alternative provides adequate screening. The screening shall be as near as possible to the property lines of the subject parcel(s).

The berm may be required to reduce noise levels surrounding all electrical substation or electrical switching station. The berm must be no more than 10 feet from the outermost sound-producing components, must be at least as tall as sound producing components, but not more than three feet taller than the height of the tallest sound producing component. Berms shall be engineered with drainage so they shall not adversely impact drainage on subject parcel and do not cause drainage or other water flow to neighboring parcels

- b. Plantings shall be least eight (8) feet tall at time of planting and shall reach a height of ten (10) feet within three (3) growing seasons.
 - c. The trees may be trimmed but must maintain a height of at least eighteen (18) feet.
 - d. Evergreen trees shall be Norway Spruce or such alternative approved by the Township.
 - e. Good husbandry techniques shall be followed with respect to vegetation, including but not limited to, proper pruning, proper fertilizing, 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 in a manner consistent with this Section at the next appropriate planting time.
 - f. Front, side, and rear yard screening is required if the electrical substation or electrical switching station is adjacent to a non-participating property.
7. Noise. The noise generated by the electrical substation or electrical switching station must not exceed 40 dBA L_{max}, as measured at the property line of any adjacent parcel. This limit shall specifically include any standby / emergency power sources.



Staff Comments: The ordinance has more restrictive noise standards than PA 233 of 2023 that has a 55-decibel threshold. This makes the standard unenforceable we recommend adopting language compatible with state statute.

8. *Appearance.* The exterior surface of an electrical substation or electrical switching station must be generally neutral in color and substantially non-reflective of light.
9. *Agricultural Preservation and Habitat Impact.* Land clearing and clear cutting trees and other vegetation shall be limited to what is minimally necessary for installation and operation of the electrical substation or electrical switching station given the topography of the land. Topsoil distributed during preparation shall be retained on site. In addition, access drives shall be designed to minimize extent of soil disturbance, water run-off, and soil compaction.
10. *Lighting.* Lighting of the electrical substation or electrical switching station must be down facing and is limited to the minimum light necessary for safe operation. Lighting shall not be more than 15 feet taller than the maximum height of any component of the structure(s) and in no case shall lighting be taller than 50 feet. Illumination or shadows from any lighting must not extend beyond the perimeter of the lot(s) used for the electrical substation or electrical switching station, except as otherwise mandated by law.
11. *Signage.* Signage is not permitted except as required in this subsection and for purposes of posting information that may be necessary for electrical operations and the safety and welfare of the public. An information sign shall be posted and maintained at the entrance(s) listing the name, address, and phone number of the operator.
12. *Security Fencing.* Security fencing is required around all electrical equipment related to the electrical substation or electrical switching station. Appropriate warning signs must be posted at safe intervals at the entrance and around the perimeter of the electrical substation or electrical switching station. Required fencing must be at least seven feet tall and compliant with NERC and FERC regulations.

In addition to the above limitations, an evergreen tree berm, with trees spaced not more than 12 feet apart, may be required to reduce noise levels surrounding all electrical substation or electrical switching station. The berm must be no more than 10 feet from the outermost sound-producing components, must be at least as tall as sound producing components, but not more than three feet taller than the height of the tallest sound producing component.

Staff Comments: This berm language is duplicated from 6(a).

13. *Drain Tile Inspections.* The applicant or operator must inspect all drain tile at



least once every three years by means of robotic camera, with the first inspection occurring before construction of any part of the electrical substation or electrical switching station occurs. The applicant or operator must submit proof of the inspection to the Township and Livingston County Drain Commission. Any damaged or inoperable tile shall be repaired prior to construction. After the electrical substation or electrical switching station is operational, the owner or operator must repair any damage or failure of the drain tile within 30 days after discovery and submit proof of the repair to the Township. The Township is entitled, but not required, to have a representative present at each inspection or to conduct an independent inspection. Documentation of repairs shall be submitted to the property owner, the township, and the Livingston County Drain Commission and must indicate the location, nature, and satisfactory completion of the repairs.

14. *Groundwater Analysis.* The operator of the electrical substation or electrical switching station must provide a groundwater analysis for the property(ies) annually.
15. *Access Routes.* Access drives are subject to the approval of the Livingston County Road Commission and the Township Planning Commission. Access drives must be adequately maintained for emergency vehicle use, even in winter.
16. *Construction.* Construction or maintenance of the electrical substation or electrical switching station may only occur between 7:00 a.m. and 6:00 p.m. Monday through Friday, excluding federal holidays. Any material damages to a public road located within the Township resulting from the construction, maintenance, or operation of a electrical substation or electrical switching station shall be repaired at the applicant's expense.
17. *Insurance.* The applicant or operator will maintain property/casualty insurance and general commercial liability insurance in an amount of at least \$10 million per occurrence. All insurance policies shall name the Township as an additional insured and shall be reviewed by the Township Attorney.
18. *Extraordinary Events.* If the electrical substation or electrical switching station experiences a failure, fire, leakage of hazardous materials, personal injury, or other extraordinary or catastrophic event, the applicant or operator must notify the Township within 24 hours.
19. *Transferability.* A special use permit for an electrical substation or electrical switching station is transferable to a new owner or operator. The new owner or operator must register its name and business address with the Township and must comply with this Ordinance and all approvals and conditions issued by



the Township.

20. *Lease*. If the participating property is proposed to be leased, instead of owned, by the owner or applicant of the electrical substation or electrical switching station, all subject parcels must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the uses. All necessary leases, easements, or other agreements between the electrical substation or electrical switching station owners or applicant and the property owners must be in place prior to commencing construction.
 21. *Site Plan Amendments*. Site plan amendments may be permitted pursuant to Article 20 of the zoning ordinance, except the following shall not be considered a minor amendment by the Planning Commission: changes of the location of structures, fencing, buildings, or ancillary equipment by 10 feet or more.
 22. *Remedies*. If an applicant or operator fails to comply with this Ordinance, the Township, in addition to any other remedy under this Ordinance, may revoke the special land use permit and site plan approval after giving the applicant or operator notice and an opportunity to be heard. Additionally, the Township may pursue any legal or equitable action to abate a violation and recover any and all costs, including the Township's actual attorney fees and costs.
 23. *Retention Pond*: Retention pond(s) shall be included on the parcel and shown on the site plan. The retention pond shall be engineered to maintain a permanent pool of water and provide adequate capacity for storm events, as determined by the Drain Commissioner or other qualified expert acceptable to the Planning Commission.
- D. As long as PA 233 of 2023 is in effect, Electrical Substations and Switching Stations that are proposed as part of a solar, wind, or energy storage system that is of the requisite size to qualify for a siting certificate from the Public Service Commission are exempt from this Section to extent that this Section conflicts with the Township's applicable Compatible Renewable Energy Ordinance and is more restrictive than Section 226(8) of PA 233. It is the Township's intent to maintain the enforceability of its Compatible Renewable Energy Ordinances to the maximum extent feasible under state law.

Staff Comments: The intent of the last statement appears to be an attempt to bring the prior language into compliance with the state statute where the standards conflict but also regulate standards that Section 226(8) is silent on. Given the recent rulings it is likely the standards would be more restrictive and would therefore fall under the MSPC siting authority.



Staff Comments: It would be beneficial for the township to develop guidelines for substations that are unrelated to renewable energy projects. Local authorities have the ability to regulate aesthetic standards, including screening, landscaping, and maintenance. It would require a separate section specifically tailored for substations or essential services not associated with a utility-scale renewable energy project.

TOWNSHIP PLANNING COMMISSION RECOMMENDATION: APPROVAL. The Cohoctah Township Planning Commission held a public hearing on April 7, 2026. There were no public comments noted in the township minutes. The Planning Commission recommended approval at their May 07, 2026, meeting.

RECOMMENDATION: DISAPPROVAL. The proposed zoning ordinance has been thoroughly reviewed. The ordinance conflicts with state statute by imposing more restrictive regulations than those outlined in PA 233, Section 226(8) of 2023, particularly concerning setbacks, sound levels, and potentially others. If the MSPC retains siting authority over the disputed Headland Solar Project this ordinance will be void. It would be more beneficial to focus efforts on what is under the local jurisdiction.



Livingston County Department of Planning

June 18, 2026

Scott Barb
AICP, PEM
Planning Director

Cohoctah Township Board of Trustees
c/o Barb Fear, Township Clerk
10518 Antcliff Rd.
Fowlerville, MI 48836

Robert A. Stanford
AICP, PEM
Principal Planner

Re: Z-17-26: Article 16.19 Essential Services and 13.29 Electrical Substations

Martha Haglund
AICP
Principal Planner

Dear Board Members:

Abby Carrigan
Planning Intern

The Livingston County Planning Commission met on Wednesday, June 17 2026 and reviewed the zoning case referenced above. The County Planning Commissioners made the following recommendation:

Z-17-26 Disapproval: The proposed zoning ordinance has been thoroughly reviewed. The ordinance conflicts with state statute by imposing more restrictive regulations than those outlined in PA 233, Section 226(8) of 2023, particularly concerning setbacks, sound levels, and potentially others. If the intent is to regulate substations not associated with utility-scale renewable energy projects the ordinance should be revised with the understanding there is still limited local authority over 345 kV high-voltage energy projects.

Department Information

Administration Building
304 E. Grand River Ave.
Suite 206

Sincerely,

A handwritten signature in blue ink that reads "Martha Haglund".

Martha Haglund

Enclosures

•
Phone
(517) 546-7555
Fax (517) 552-2347

C: Jessica Buttermore, Planning Commission Chair
Steve Bronsberg, Township Zoning Administrator

•
Web Site
Milivcounty.com/planning

Agendas, Minutes & Meeting Packets are available at:
<https://milivcounty.gov/planning/commission/>

DRAFT
LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES
County Administration Building
304 E. Grand River Ave.
Howell, Michigan
June 17, 2026
6:30 p.m.

COMMISSIONERS PRESENT: Matt Ikle, Dennis Bowdoin, Bill Call, Sally Witkowski, Kevin Galbraith, Chuck Wright, Margaret Burkholder

COMMISSIONERS ABSENT: None

STAFF PRESENT: Scott Barb, Rob Stanford, Martha Haglund

OTHERS PRESENT: Bruce Powellson, Marion Township; Tim Boal, Howell Township; Kristin Dennison, Cohoctah Township; Jodi Fulton, Howell Township.

1. CALL TO ORDER: Meeting was called to order by Planning Commissioner Ikle at 6:30 PM.

2. PLEDGE OF ALLEGIANCE

3. ROLL AND INTRODUCTION OF GUESTS

4. APPROVAL OF AGENDA:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO APPROVE THE AGENDA DATED JUNE 17, 2026, SECONDED BY COMMISSIONER GALBRAITH.

All in favor, Motion Passed

5. APPROVAL OF PLANNING COMMISSION MEETING MINUTES:

Commissioner Galbraith noted the vote count on case number Z-14-26 should read 5-2 not 6-2.

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO APPROVE THE AMENDED MINUTES DATED MAY 20, 2026, SECONDED BY COMMISSIONER BURKHOLDER.

All in Favor, Motion Passed

6. CALL TO THE PUBLIC: None

7. REZONING REVIEWS:

A. Z-16-26 OCEOLA TOWNSHIP, TEXT AMENDMENTS
SECTION 5.02: ACCESSORY BUILDINGS AND USE STANDARDS

The Oceola Township Planning Commission proposes to amend the township zoning ordinance by adding two (2) entirely new sections to Article 5: Standards for Use, listed as new subitems Section 5.02.4 (J) & (K): Accessory Buildings and Uses - Standards, which pertains to the standards for trailer coach storage and use on residential lots.

There is potential ambiguity when comparing Sections J and K. Section K authorizes limited recreational occupancy—either incidental overnight camping or seasonal use—on residential lots. Additionally, section K does not provide replacement standards defining what level of utility connection is allowed during seasonal use. As a result, the ordinance permits seasonal camping but offers no direction on how essential functions such as water supply or wastewater management should be regulated. However, overall, the framework of Sections J and K is logically organized and aligns with common zoning objectives. Therefore, approval with conditions is reasonable and will help to ensure these clarifications are incorporated.

Township Recommendation: Approval. Oceola Township Planning Commission held a public hearing regarding the proposed amendments and recommended Approval of the proposed amendments during the May 12, 2026, the Regular Planning Commission meeting. Minutes of the meeting indicate that there were no public comments regarding these amendments.

Staff Recommendation: Approval With Conditions. Specifically, the ordinance would benefit from clearly defined utility connection standards for seasonal and incidental use, explicit recognition that temporary camping accessories are permitted during active use but not during storage, and definitional language distinguishing recreational camping from residential occupancy. Together, these modifications would close the interpretive gaps and ensure enforceability without altering the fundamental intent of the amendments.

Recommended Actions Before Final Approval:

- Clarify Utility Connection Allowances for Seasonal and Incidental Use. Specify whether temporary electric cords, potable water hookups, and RV waste dump procedures are permitted during camping use.
- Clarify Allowed Ancillary Items During Active Recreational Use. Amend J(6) to specify that prohibitions apply only during storage, and allow ordinary temporary camping accessories (e.g., chairs, coolers, portable grills) during permitted camping periods.
- Add Definitions for “Living or Housekeeping Purposes” vs. “Recreational Use”: This will protect enforcement consistency and reduce interpretation disputes.
- Optional: Add explicit standards for wastewater disposal during seasonal camping: Currently only J(5) applies, which prohibits discharge but does not describe expected lawful disposal (e.g., require self-contained holding tanks or off-site dumping).

Commissioner Discussion: Commissioner Burkholder inquired about the definition of ‘housekeeping’ that is not defined in the current ordinance. Commissioner Wright asked about the permit fee for storage of a trailer. Generators also should state a start time in the proposed amendments. Commissioner Ikle asked about extending the date to December to accommodate hunters. Commissioner Call understands the need for the \$1,000 bond, but there needs to be a process included for how the bond gets returned. Commissioner Bowdoin inquired about additional guests or visiting relatives and how the amendments regulate this. Commissioner Witkowski stated the amendments tend to be restrictive and that the nuisance section should be more thorough. Commissioner Wright also commented that prohibiting advertising (referring to subitem K.3.c) could potentially impede First Amendment Rights.

Public Comments: None.

Commissioner Action: IT WAS MOVED BY COMMISSIONER BURKHOLDER SECONDED BY COMMISSIONER WRIGHT TO RECOMMEND APPROVAL WITH CONDITIONS.

All in Favor, Motion Passed: 7-0

B. Z-17-26 COHOCTAH TOWNSHIP, TEXT AMENDMENTS
SECTION 1: ARTICLE 16.19 - ESSENTIAL SERVICES

The Cohoctah Township Planning Commission is proposing to amend their Zoning Ordinance to include standards and siting regulations for essential services including electrical substations. The proposed language only permits substations within the Renewable Energy Overlay. Also, the proposed ordinance uses terms such as “participating” and “non-participating” properties. These terms are associated with state statute PA 233 of 2023 regulating Utility-Scale Renewable Energy Facilities. Although it is not specifically entitled as so, it appears the proposed ordinance is seeking to regulate substations connected to utility-scale renewable energy projects.

Under Public Act 233 of 2023, provisions are established for utility-scale renewable energy projects, specifically including 50 MW of solar energy, 100 MW of wind energy, and 50 MW of battery storage. The associated electrical substations are considered part of the “Solar Energy Facility” and are subject to oversight of the Michigan Public Service Commission (MPSC). This oversight applies unless the local municipality has adopted a Compatible Renewable Energy Ordinance (CREO), which cannot be more restrictive than Section 226(8) of PA 233. This was reinforced in a recent ruling regarding the Implementation of Provisions from Public Act 233 of 2023 (COA Docket No. 373259); in which over 75 townships (including Cohoctah Township) filed lawsuit in 2024 challenging a MPSC order implementing the 2023 law moving siting of renewable energy projects to the commission. One of the determinates was that the MSPC’s interpretation was correct, that a CERO cannot be more restrictive than PA 233 of 2023 Section 226(8).

Additionally, Cohoctah Township is in a legal dispute over a proposed utility-scale solar project, Headland Solar (Case No. U-22004). The case does not involve a disagreement over Cohoctah Township having a CREO. Instead, it focuses on whether the project received valid approval under PA 233 of 2023 when it was granted an Approval with Conditions by the Township Board in September 2025. On May 20, 2026, the MSPC released their response denying the motion for summary disposition for leave to appeal. The determination essentially concluded that approval with conditions was not valid, because PA 233 of 2023 only references an outright denial or approval of applications, omitting the possibility of a conditional approval. The case will continue to be litigated but it seems likely the MSPC may have oversight over the Headland project and any substations therein.

Staff did note that Section D states, “all substations associated with utility-scale renewable energy would be exempt from this ordinance,” and therefore essentially voids the intent of the ordinance to regulate substations in the Renewable Energy Overlay. If the intent was to regulate substations not associated with utility-scale renewable energy projects the ordinance should be revised with the understanding there is still limited local authority over high-voltage energy projects.

It would be beneficial for the township to develop guidelines for substations that are unrelated to renewable energy projects. Local authorities have the ability to regulate aesthetic standards, including screening, landscaping, and maintenance. It would require a separate section specifically tailored for substations or essential services not associated with a utility-scale renewable energy project.

Township Planning Commission Recommendation: Approval. The Cohoctah Township Planning Commission held a public hearing on April 7, 2026. There were no public comments noted in the township minutes. The Planning Commission recommended approval at their May 07, 2026, meeting.

Staff Recommendation: Disapproval. The proposed zoning ordinance has been thoroughly reviewed. The ordinance conflicts with state statute by imposing more restrictive regulations than those outlined in PA 233, Section 226(8) of 2023, particularly concerning setbacks, sound levels, and potentially others. If the MSPC retains siting authority over the disputed Headland Solar Project this ordinance will be void. It would be more beneficial to focus efforts on what is under the local jurisdiction.

Commissioner Discussion: Commissioner Wright inquired if PA 233 were not involved if the proposed amendments could be approved or not. Commissioner Witkoski commented that the standards could still regulate substations not associated with utility-scale renewable energy projects.

Public Comments: Kristin Denniston, Cohoctah Township, spoke on her concerns over the proposed ITC substation and wants to proactively plan for future substation projects.

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL, SECONDED BY COMMISSIONER GALRAITH TO RECOMMEND DISAPPROVAL.

**All in favor, Motion Passed: 6-1
NAY: WRIGHT**

8. OLD BUSINESS: None.

9. NEW BUSINESS: 2027-2032 Livingston County CIP Resolution for Approval: Principal Planner Stanford gave an overview of the 2027-2032 Livingston County Master Plan.

Commissioner Action: MOTION BY COMMISSIONER BOWDOIN TO APPROVE THE LIVINGSTON COUNTY 2027-2032 CAPITAL IMPROVEMENT PLAN, TO BE FORWARDED TO THE LIVINGSTON COUNTY BOARD OF COMMISSIONERS FOR THEIR RECEIPT FILING AND USE AS NECESSARY AND APPROPRIATE, SECONDED BY COMMISSIONER BURKHOLDER.

COMMISSIONER BOWDOIN CALLED FOR A ROLL CALL VOTE.

**IKLE: Yes
CALL: Yes
BOWDOIN: Yes
BURKHOLDER: Yes
GALBRAITH: Yes
WRIGHT: Yes
WITKOWSKI: Yes**

All in favor, Motion Passed: 7-0

10. REPORTS

- A. PLANNING CONTRACTS WITH TOWNSHIPS:** A brief discussion regarding proposed contracts with local Townships.
- B. BROWN BAG LUNCH:** June 24, 2026, Oceola Township, Land Division Act Updates

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC:

12. ADJOURNMENT

Commissioner Action: MOTION BY COMMISSIONER CALL SECONDED BY COMMISSIONER GALBRAITH TO ADJOURN AT: 7:38 P.M.

All in Favor, Motion Passed

Resolution

Livingston County Planning Commission

TRANSMISSION OF THE

APPROVED COUNTY 2027-2032 CAPITAL IMPROVEMENT PLAN

TO THE LIVINGSTON COUNTY BOARD OF COMMISSIONERS

WHEREAS, a Capital Improvement Plan allows for the planning of projects over a certain period of time; and

WHEREAS, County Departments are requesting to be financed with County funds to build, renovate, or buy equipment, infrastructure or property to be used as a public asset or to benefit the public; and

WHEREAS, a capital project is defined as a project large in size, having a cost in excess of \$50,000, and a useful life greater than 3 years; and

WHEREAS, the Capital Improvement Plan is prepared per a policy laid out in the Debt Management Policy, which states that the County Planning Commission, in collaboration with the County Department of Planning, will annually prepare a multi-year inventory identifying projects approved or anticipated by various County departments, which is supported by **Board Resolution #702-288**; and

WHEREAS, inasmuch as the County Planning Commission has an adopted County Master Plan, the County Planning Commission must be included in the formal review process of proposed County Department Capital Improvement Plan projects (**Michigan Planning Enabling Act, Act 33 of 2008 - MCLA 125:3831 and 125:3865-3867**); and

WHEREAS, to make informed decisions, prioritize needs, and plan for fiscal requirements it is beneficial to include Department capital project requests for the upcoming year(s) in both the Capital Improvement Plan and the annual budget process; and

WHEREAS, it is the recommendation of the County's Planning Department and County Administration that the Capital Improvement Plan process be incorporated into the annual County Budget Process and that all County Departments with requests for projects with estimated costs in excess of \$50,000 participate in providing the information requested to be included in the Capital Improvement Plan; and


WHEREAS, that the Livingston County Board of Commissioners has approved that the annual Capital Improvement Planning (CIP) process be incorporated with the annual Operating Budget Process and County Departments with projects in excess of \$50,000 participate in completion of the CIP.

THEREFORE BE IT RESOLVED that the Planning Commission will continue to review and transmit the Livingston County Capital Improvement Plan annually to the Livingston County Board of Commissioners to formally receive and file the report, and

BE IT FURTHER RESOLVED that the Livingston County Planning Commission herein transmits the 2027-2032 Livingston County Capital Improvement Plan to the Livingston County Board of Commissioners and requests that the Board formally receive, file, and utilize the report as appropriate and necessary.

Approved: 

Matt Ikle, Chair

Attest: 

Scott Barb, Planning Department Director

On This Date: Wednesday, June 17, 2026

LIVINGSTON COUNTY PLANNING COMMISSION

Matt Ikle, Chair
William Call, Vice Chair
Kevin Galbraith, Secretary
Dennis Bowdoin
Margaret Burkholder
Chuck Wright
Sally Witkowski



Livingston County Department of Planning

LIVINGSTON COUNTY PLANNING COMMISSION MEETING

Wednesday, June 17, 2026– 6:30 p.m.

Administration Building, Board of Commissioners Chambers
304 East Grand River, Howell, MI 48843

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll and Introduction of Guests
4. Approval of Agenda – June 17, 2026
5. Approval of Meeting Minutes – May 20, 2026
6. Call to the Public
7. Zoning Reviews
 - A. Z-16-26 Oceola Township Text Amendments, Section 5.02
Accessory Buildings and Uses Standards
 - B. Z-17-26 Cohoctah Township Text Amendments, Section 1,
Essential Services
8. Old Business
9. New Business: 2027-2032 Livingston County CIP Resolution for Approval
10. Reports
 - A. Planning Contracts with Townships
 - B. Brown Bag Lunch: June 24th @ Oceola Township on Land
Division Act changes
11. Commissioners Heard and Call to the Public
12. Adjournment

Scott Barb
AICP, PEM
Planning Director

Robert A. Stanford
AICP, PEM
Principal Planner

Martha Haglund
AICP
Principal Planner

Abby Carrigan
Planning Intern

Department Information

Administration Building
304 E. Grand River Ave.
Suite 206

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Phone
(517) 546-7555
Fax (517) 552-2347

•

Web Site
Milivcounty.com/planning

ZONING/MASTER PLAN AMENDMENT FORM

Livingston County Planning Commission, 304 East Grand River, Suite 206, Howell, MI 48843-2323

LOCAL CASE NUMBER 26-01 COUNTY CASE NUMBER 2-17-26

The Cohoctah Township Planning Commission is submitting the following amendment for review and comment.

REZONING (MAP AMENDMENT) Property description and location (attach a map of the proposed amendment as required by law).

Size: _____ Property tax identifier: _____
Location: _____
Existing Zoning District is: _____ Proposed Zoning District: _____
Name of Petitioner: _____ Name of Property Owner: _____
Purpose of Change: _____
Existing Land Use: _____

ZONING ORDINANCE TEXT AMENDMENT The following Article(s) and Section(s) to be amended:

Article Number(s): 16.19 Article Name(s): Zoning Ordinance: Essential Services
Section Number(s): Section 1 Section Name(s): Essential Services

Please attach a copy of the proposed zoning ordinance changes.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on March 20, 2026 in the Livingston County Press
(not less than 15 days before the public hearing per Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3103)
Cohoctah Township Newspaper, which has general circulation in the jurisdiction. The Cohoctah Township Planning Commission held a public hearing on April 7, 2026 to hear the views of the public on the proposed amendment.

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

MASTER PLAN

Adoption of new or revised plan Amendment (Section/Chapter) _____

Note: For all master plan cases, the municipality must submit a statement signed by the Planning Commission Secretary stating that all of the necessary legislative bodies have been sent notice of the public hearing and copies of the proposed language/map, along with the name and address of each, and date of submittal.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on _____
(not less than 15 days before the public hearing per Michigan Planning Enabling Act, Act 33 of 2008, MCL 125.3843)
in the _____ Newspaper, which has general circulation in the jurisdiction.
The Cohoctah Township Planning Commission held a public hearing on _____ to hear the views of the public on the proposed amendment. (date)

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

LOCAL JURISDICTION PLANNING COMMISSION ACTION

The recommendation of the Cohoctah Township Planning Commission, at its meeting of 7 MAY 2026, was:
 Approval Disapproval Approval under the following conditions: (use additional sheets as necessary)

[Signature]
(Chair Signature)

LIVINGSTON COUNTY PLANNING COMMISSION ACTION

Date Received _____ Date of LCPC Meeting 6-17-26
The Commission on the above meeting date took the following action:
 Approval Approval with conditions stated in attachment Disapproval No action-encourage further review

[Signature] (Chair Signature) [Signature] (Director Signature)

LOCAL JURISDICTION BOARD ACTION

Date of Meeting _____ The Cohoctah Township Board at a legally constituted meeting held on the above date PASSED PASSED WITH AMENDED LANGUAGE DID NOT PASS NO ACTION-ENCOURAGE FURTHER REVIEW the recommended change contained herein.

Please sign and return one completed copy of this form to the Livingston County Planning Department.

(Clerk)



Carlisle | Wortman
ASSOCIATES, INC.

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

TO: Cohoctah Planning Commission

FROM: Carlisle Wortman & Associates

DATE: June 2, 2026

SUBJECT: Small Box Store Standards

On May 19, Cohoctah Planning Commission inquired regarding small box store standards within Cohoctah Township. Carlisle Wortman & Associates, has prepared the following sample writing in conjunction with the current Township Ordinance standards.

Definition:

SMALL BOX DISCOUNT STORE. A retail store with a floor area ranging from 5,000-15,000 square feet that offers for sale an assortment of physical goods, products or merchandise directly to the consumer, including food or beverages for off-premise consumption, household products, personal grooming and health products and other consumer goods, with the majority of items being offered for sale at lower than the typical market price. Small box discount stores do not include retail stores that: contain a prescription pharmacy; sell gasoline or diesel fuel; primarily sell specialty food items (e.g. meat, seafood, cheese, or oils and vinegars); or dedicate at least 15% of floor area or shelf space to fresh foods and vegetables.

Article IX Settlement District Sec. 9.03 Permitted principal special uses with conditions. The following special uses of land, buildings and structures are permitted in the S Settlement District, subject to the provisions of Article XIII, "Special Uses":

P) Small Box Discount Stores

Article X Neighborhood Service Commercial District Sec. 10.03 Permitted principal special uses with conditions.

The following special uses of land, buildings and structures are permitted in the NSC Neighborhood Service Commercial District, subject to the provisions of Article XIII, "Special Uses":

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

H) Small Box Discount Stores

Article XIII Special Uses Sec. 13.29 Small Box Discount Stores

In addition to the standards contained in this Ordinance, the Planning Commission shall determine that:

- 1. No Small Box Discount Store shall be located within 2 miles of another Small Box Discount Store**
- 2. The proposed use is compatible with surrounding land uses and the character of the Township;**
- 3. The proposed development will not result in excessive concentrations of similar retail establishments;**
- 4. Traffic generated by the use can be adequately accommodated by the existing road network;**
- 5. The site design promotes pedestrian safety and accessibility;**
- 6. The building and site design provide high-quality architectural appearance consistent with surrounding development; and**
- 7. The proposed use will not adversely affect nearby residential properties through noise, lighting, traffic, or operational impacts.**

Article X – NSC Neighborhood service Commercial District Sec. 10.06 Design Standards &

Article IX – S Settlement District Sec. 9.07 Design standards

Building materials

- 1. Building material should be of high quality and durable, such as but not limited to stone, brick, glass, and metal.**
- 2. E.I.F.S. or material equivalent shall only be used as an accent material.**


Façade variation

- 1. Façade articulation or architectural design variations for building walls facing the street are required to ensure that the building is not monotonous in appearance, using the following architectural techniques:**
 - a. Building wall offsets (projections and recesses)**
 - b. cornices, varying building materials or pilasters used to break up the mass of a single building**
 - c. staggering of vertical walls**
 - d. providing upper-level roof overhangs**
 - e. contrasting compatible building materials**
 - f. use of variety and rhythm of window and door openings**
 - g. providing changes in roof shape or roof-line.**
- 2. Entrances shall be clearly identifiable and emphasized through the use of architectural elements including, but not limited to:**

- a. recessed entryways, overhangs, awnings, canopies, projecting rooflines, enhanced materials, increased building height, decorative lighting, or similar design features subject to Planning Commission approval.

Transparency

- 1. Ground-floor building design shall support pedestrian activity and crime prevention. This should be achieved primarily through the placement of windows and doors so that active interior uses are visible from or accessible to the street, and parking areas are visible from within the building.
-



CARLISLE/WORTMAN ASSOC., INC.
John L. Enos, AICP
Vice-President



CARLISLE/WORTMAN ASSOC., INC.
Joe Pezzotti
Community Planner



Carlisle | Wortman
ASSOCIATES, INC.

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

SECTION 40- 11.50: High Resource Demand Facilities

A. Purpose and Intent

The purpose of this ordinance is to establish a regulatory framework for siting, design, operation, and decommissioning of High Resource Demand Facilities, which include Data Centers and Data Processing Centers, in order to balance local economic benefits with protection of public health, safety, welfare, natural resources, and neighborhood character. Standards are intended to:

1. Direct High Resource Demand Facilities to locations with existing and adequate infrastructure, redevelopment and infill of existing sites, and minimal land-use conflicts;
2. Avoid and mitigate nuisance impacts (noise, vibration, light/glare, air emissions);
3. Ensure efficient use of electricity and water, prioritizing renewable energy and conservation;
4. Promote context-appropriate architecture and robust screening;
5. Ensure compatibility with adjacent land uses and the Township's Master Plan; and
6. Ensure responsible decommissioning and site restoration.

B. Applicability

1. This section applies to High Resources Demand Facilities, Data Center and Data Processing Center uses, including Large-Scale, Small-Scale, and Accessory as defined herein.
2. High Resources Demand Facilities, Data Center and Data Processing Center uses, including Large-Scale, Small-Scale are not permitted as a principal use unless approved as a Planned Unit Development for the purpose of a High Resources Demand Facilities, Data Center and Data Processing Center and adopted through the PUD process set forth in Article 6.
3. Approval is contingent upon the applicant demonstrating conformance to the requirements of this ordinance and other standards of the Zoning Ordinance.
4. Where conflicts exist between this section and other provisions, this section governs. Where silent, other applicable provisions apply (e.g., lighting, landscaping, stormwater, and performance standards).

C. Definitions

1. High Resource Demand Facility (HRDF): A principal nonresidential facility, campus, or group of buildings under common ownership or control that is characterized by (i) continuous or near-continuous operation, and (ii) significant mechanical, electrical, or cooling infrastructure, and that meets the applicability criteria in subsections (A) and (B) below.

A facility shall be considered an HRDF only when the criteria of both A *and* B below are met:

- A. Operational Characteristics. The facility includes one or more of the following operational characteristics that are integral to the primary use:
 - 1. Central plant or large-scale mechanical cooling and/or ventilation systems serving process loads or IT/electronic equipment;
 - 2. On-site emergency generation with an aggregate nameplate capacity exceeding 2,000 kW or 2 MW, and/or on-site fuel storage exceeding 10,000 gallons;
 - 3. Dedicated electrical transformation/switchgear yard, substation, or similarly intensive electrical infrastructure primarily serving the facility;
 - 4. 24-hour operations and/or operational necessity requiring uninterrupted environmental control (temperature/humidity) or high-reliability power systems.
- B. Resource/Infrastructure Thresholds. The facility exceeds one or more of the following thresholds, as demonstrated by applicant-prepared estimates and utility/service provider documentation, including any phased expansion approved or constructed within five (5) years:
 - 1. Water demand: average daily water demand > 100 gpm;
 - 2. Sanitary sewer: average daily sanitary discharge > 50,000 gallons/day;
 - 3. Electric demand: maximum contracted demand or designed peak demand > 10 MW (or equivalent documented kW);
 - 4. Hazardous materials / regulated wastes: storage, use, or generation requiring reporting under [EPCRA Tier II and/or applicable state hazardous materials reporting] and/or generation of hazardous waste at a level regulated under [state/federal hazardous waste generator requirements], as documented on a materials inventory submitted with the application.

Exclusions. HRDF does not include general warehousing/distribution, general manufacturing, or office uses unless the Zoning Administrator determines, based on operational characteristics and supporting documentation, that the facility is substantially similar in operational profile to HRDF-type facilities (e.g., high-reliability power demand and continuous environmental control serving electronic/process loads) and meets subsections (A) and (B).

Aggregation. Multiple buildings, modules, or phases located on the same site or on contiguous parcels under common ownership or control shall be aggregated for purposes of determining HRDF status and whether thresholds are exceeded.

Relationship to Data Centers. A Data Center or Data Processing Center that meets the HRDF definition shall be considered an HRDF and shall comply with all applicable HRDF supplemental standards.

- 2. Data Center: A facility used for the centralized storage, management, processing, and transmission of digital information, typically containing computer servers, data storage systems, telecommunications equipment, power distribution systems, cooling and

ventilation systems, uninterruptible power supplies, backup generators, and associated support infrastructure. The term includes colocation centers, cloud-computing facilities, hyperscale computing facilities, and similar high-intensity information technology operations. The term does not include small server rooms, IT closets, or similar equipment rooms that are clearly accessory and subordinate to another lawful principal use.

3. Data Processing Center: A building or portion of a building used primarily for the manipulation, analysis, computation, or transformation of digital information through computer hardware or specialized equipment. A Data Processing Center may include servers or digital processing equipment, but is typically of smaller scale or lower intensity than a Data Center and may involve office or administrative functions associated with data manipulation. The term does not include general business offices or accessory server rooms subordinate to a principal use.
4. Large-Scale Data Center and Data Processing Center: A center equal or greater than 25,000 sq ft gross floor area or located on a site greater than 10 acres.
5. Small-Scale Data Center and Data Processing Center: A center less than 25,000 sq ft, often serving local or regional networks.
6. Accessory Data Center and Data Processing Center: A center that is clearly incidental and subordinate to a principal use (e.g., hospital, university, large employer) and less than 10,000 sq ft.
7. Battery Energy Storage System (BESS). One or more electrochemical energy storage containers, inverters, switchgear, and associated equipment, which may be co-located with a High Resource Demand Facility to provide resiliency or load management.
8. On-site Substation/Switchyard. Electric utility facilities (e.g., transformers, breakers) necessary to serve a data center.

D. Districts Permitted and Process

1. Districts
 - a) High Resource Demand Facility: allowed in I – Industrial only. Prohibited elsewhere.
 - b) Large-Scale Data Centers and Data Processing Centers: allowed in I – Industrial only. Prohibited elsewhere.
 - c) Small-Scale Data Centers and Data Processing Centers: allowed in I – Industrial and BD – Business District. Prohibited elsewhere.
 - d) Accessory Data Centers and Data Processing Centers: allowed as a Conditional Land Use accessory to an approved principal use in the I, Industrial, BD, Business District, C-2 – Regional Commercial Corridor, and PF – Public Facility districts. Prohibited elsewhere.
2. Process
 - a) The Planning Commission shall hold a public hearing as set forth in 3.05 and make a recommendation to the Township Board.
 - b) The Township Board, upon a recommendation from the Planning Commission, shall approve site plan and conditional use.

E. Required Engagement Steps (minimum standards)

1. Pre-application conference (mandatory)

- a) Applicants shall meet with planning staff prior to submitting an application.
- b) Staff shall identify expected engagement topics, impacted stakeholders, and the required contents of the Community Engagement Plan.

2. Community Engagement Plan (CEP) (required with application)

- a) A CEP shall be submitted as part of the application package and must include:
 - o Project overview (site, size, phasing, anticipated construction timeline);
 - o Draft public information materials (fact sheet, FAQs);
 - o Engagement schedule and methods;
 - o Proposed meeting formats and locations (including virtual option);
 - o List/map of stakeholders and the Engagement Area;
 - o Languages and accessibility accommodations;
 - o Communication channels (project website, email list, hotline);
 - o Process for documenting comments and responses; and
 - o Proposed Risk Mitigation
- b) The Zoning Administrator shall determine whether the CEP is complete prior to scheduling public hearings.

3. Neighborhood meeting(s) (mandatory, prior to first public hearing)

- a) The applicant shall hold at least one neighborhood meeting no fewer than 21 days and no more than 60 days prior to the first public hearing.
- b) Notice shall be given to all property owners and addresses (if different) within 500 feet of the proposed project site. If a property is within 500 feet and is part of a subdivision, homeowners, or business owners association, all members of the association shall be notified.
- c) Additional neighborhood meetings may be required if:
 - o There are significant amendments, based upon determination of the Zoning Administrator, to the plan between Planning Commission or Township Board reviews; or
 - o The Planning Commission or Township Board directs additional engagement due to public interest.
- d) Meeting requirements:
 - o Held at a location within Pittsfield Township that is ADA-accessible, and available after 5:00 p.m. on a weekday or on a weekend;
 - o Virtual participation option must be provided;
 - o Applicant must provide interpreters upon request with at least 7 days notice; and
 - o Meeting must include a Q&A segment and accept written comments.

4. Report

- a) After each neighborhood meeting, the applicant shall submit a report to the Township providing at a minimum, the following meeting details:
 1. Meeting details (location, time, etc)
 2. Meeting sign in sheet
 3. Meeting minutes

F. Dimensional Standards

1. Minimum Lot Area:
 - a) High Resource Demand Facility: 10 acres
 - b) Large-Scale: 10 acres
 - c) Small-Scale and Accessory: 2 acres.
2. Maximum Building Height: 45 feet / 3 stories
3. Maximum Lot Coverage: 60%.
4. Minimum Setbacks:
 - a) High Resource Demand Facility: 400 feet from any residentially used or zoned property, primary/secondary school, medical clinic, park, day-care center and preschool, hospital or medical center. 200 feet from all other property lines.
 - b) Large-Scale: 400 feet from any residentially used or zoned property, primary/secondary school, medical clinic, park, day-care center and preschool, hospital or medical center. 200 feet from all property lines.
 - c) Small-Scale and Accessory: 100 feet from any residentially used or zoned property, primary/secondary school, medical clinic, park, day-care center and preschool, hospital or medical center. 75 feet from all property lines.
5. Greenbelt:
 - a) A minimum 50-foot landscaped greenbelt shall be provided along all property lines. The greenbelt shall include an opaque screen meeting Landscape Screening Type A.
6. Siting:
 - a) A High Resource Demand Facility, including but not limited to a Large Scale Data Center, shall not be located on any parcel that is within 500 feet of any residential zoned or used property, primary/secondary school, medical clinic, park, day-care center and preschool, hospital or medical center.

G. Site and Design Standards

1. Architecture & Façade Articulation
 - a) Massing and Scale
 1. Building massing, height, bulk, scale, and proportion shall maintain consistency with the existing character of the adjacent buildings.
 2. Building design should employ coordinated massing to produce overall unity, scale, and interest.
 3. Rooflines and pitches shall be proportionate to nearby structures so as to provide transition or mitigation of significant changes to scale.

- b) Architectural design and building materials.
 - 1. Facade variation. Wall designs must provide a minimum of three of the following elements, in addition to transparency requirements, occurring at intervals no greater than 25 feet horizontally and 10 feet vertically:
 - a. Expression of structural system and infill panels through change in plane not less than three inches.
 - b. System of horizontal and vertical scaling elements, such as: belt course, string courses, cornice, pilasters.
 - c. System of horizontal and vertical reveals not less than one inch in width/depth.
 - d. Variations in material module, pattern, and/or color.
 - e. System of integrated architectural ornamentation.
 - f. Green screen or planter walls.
 - g. Translucent, fritted, patterned, or colored glazing.
 - h. Transparency as required in Section 40-11.50(F)(2)(b).
 - 2. Architectural style shall not be restricted. Rather, evaluation of the appearance of a project shall be based upon compatibility and the quality of its design and relationship to surroundings.
 - 3. Buildings within the same development should be designed to provide a unified and easily identifiable image. Methods to achieve this include using similar architectural styles and materials, complementary roof forms, signs, and colors.
 - 4. Minimize monotony of expansive exterior walls by incorporating the following elements: staggering of vertical walls; recessing openings; providing upper-level roof overhangs; using deep score lines at construction joints; contrasting compatible building materials; use of variety and rhythm of window and door openings; use of horizontal and vertical architectural elements, use of horizontal bands of compatible colors; and providing changes in roof shape or roofline.
 - 5. Facades shall provide visual interest from both vehicular and pedestrian viewpoints.
 - 6. Entrances to individual buildings shall be readily identifiable to visitors through the use of recesses or pop-outs, roof elements, columns, or other architectural elements.
- c) Material standards.
 - 1. Durable building materials, simple configurations, and solid craftsmanship are required. At least 75% of walls visible from public streets, exclusive of wall areas devoted to meeting transparency requirements, shall be constructed of brick, glass, metal (beams, lintels, trim elements, and ornamentation only), wood lap, stucco, split-faced block, or stone. Vinyl or aluminum siding shall only be used for accents. Exterior Insulation Finishing Systems (E.I.F.S.) or similar material is not permitted as a primary building material.
 - 2. Materials shall be selected for suitability to the type of buildings and the architectural design in which they are used.

3. Material selection shall be consistent with architectural style in terms of color, shades, and texture; however, monotony shall be avoided.
 4. Materials shall be consistent with adjoining buildings.
 5. Buildings shall have the same materials, or those that are architecturally compatible, for construction of all building walls and other exterior building components wholly or partly visible from public ways and public parking lots.
 6. In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.
 7. Transitional features.
 - a. Transitional features are architectural elements, site features, or alterations to building massing that are used to provide a transition between higher-intensity uses and low- or moderate-density residential areas. These features assist in mitigating potential conflicts between those uses. Transitional features are intended to be used in combination with landscape buffers or large setbacks.
 - b. Intensity. A continuum of use intensity, where moderate-intensity uses are sited between high-intensity uses and low-intensity uses, shall be developed for multibuilding developments. An example would be an office use between commercial and residential uses.
 - c. Height and mass. Building height and mass in the form of building step-backs, recess lines or other techniques shall be graduated so that structures with higher-intensity uses are comparable in scale with adjacent structures of lower-intensity uses.
 - d. Architectural features. Similarly sized and patterned architectural features, such as windows, doors, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations included on the lower-intensity use shall be incorporated in the transitional features.
2. Mechanical, Loading, and Rooftop Equipment
 - a) Mechanical equipment shall be fully enclosed unless where mechanically unfeasible based on manufacturers' specifications.
 - b) If located outside of a building, all mechanical equipment (HVAC, generators, cooling towers, transformers) shall be fully screened by architecturally compatible walls/panels.
 - c) Rooftop equipment shall be screened by a parapet wall, equipment penthouse, or visually solid screen on all four sides. Rooftop equipment that is visible above the parapet wall shall be set back from the exterior or parapet wall at a distance no less than the height of said equipment.
 - d) Service/loading areas shall be oriented away from residential districts where feasible and screened per Section 13.

3. Lighting
 - a) Security and area lighting shall comply with the Lighting Ordinance: full cut-off fixtures, down-directed, and shielded to prevent glare and light trespass beyond property lines.
 - b) Maximum maintained illuminance at the property line shall not exceed 0.1 foot-candles adjacent to residential uses or districts and 1.0 foot-candle elsewhere.
4. Landscaping & Buffers
 - a) Provide required greenbelts and landscape screening per Section 13. Where abutting residential, a minimum Type A opaque buffer (e.g., berm/wall plus evergreens) within the setback is required.
 - b) Parking lots shall meet interior landscaping ratios; heat-island mitigation via shade trees is required
5. Stormwater and Wastewater
 - a) Stormwater.
 1. On-site detention and water-quality treatment are required per the Washtenaw County Water Resources Commissioner (WCWRC). Designs shall address potential thermal impacts from large roof/pavement areas and condenser discharge.
 - b) Withdrawals/Discharge.
 1. Any large quantity water withdrawal or discharge shall comply with applicable state and county permits. Approval by the Township shall be contingent upon written confirmation from the applicable utility and regulatory agencies that the proposed withdrawal or discharge will not adversely impact existing users, system capacity, groundwater resources, or downstream infrastructure.
 2. Township approval shall be conditioned upon a finding that the proposed withdrawal or discharge:
 - a. will not exceed available system or aquifer capacity at full build-out;
 - b. will not displace or impair existing or reasonably foreseeable users;
 - c. will not require public investment or system expansion to serve the facility; and
 - d. will not result in stranded or oversized infrastructure in the event of facility closure or decommissioning.
6. Traffic and Construction Management
 - a) A Construction Logistics and Traffic Management Plan is required, identifying haul routes, delivery windows, worker parking, and dust/mud control.
 - b) Construction hours shall be limited to 7:00 a.m.–7:00 p.m. Monday–Saturday unless otherwise approved.

H. Performance Standards

1. Noise and Vibration

- a) Noise Limit. Routine operations (including cooling equipment) shall not exceed 50 dBA Leq at the property line. Nighttime (10 p.m.–7 a.m.) limits adjacent to residential shall be no greater than 40 dBA Leq. In addition, the development shall comply with all requirements of 14.02. Noise.
- b) Generator Testing. Routine testing shall only occur between 8:00 a.m.–6:00 p.m. weekdays. Testing shall comply with the noise limits as set forth in Section 11.50.H.1
- c) Measurement Protocol. Compliance shall be demonstrated via pre- and post-occupancy sound studies by a qualified acoustical engineer. Noise measurements or predictions should be adjusted for special sound characteristics consistent with ANSI/ASA S12.9 methods, including a +5 dB adjustment for prominent discrete tones and applicable adjustments for impulsive noise. The adjusted sound level should be used for compliance evaluation.
- d) Vibration. Operations shall not cause perceptible vibration at the property line per ANSI/ISO criteria.

2. Air Quality and Emissions

- a) All stationary engines, cooling towers, and emission sources shall comply with the federal Clean Air Act and the Michigan Department of Great Lakes and Energy (“EGLE”) rules. Required Air Use Permits to Install (PTI) must be obtained and kept current.
- b) Generators. New generators shall meet EPA Tier 4 Final standards. Dispersion modeling may be required when generators are placed within 500 feet of residential, schools, parks, or hospitals.
- c) Cooling Towers. Cooling towers shall include drift eliminators and be managed to prevent particulate emissions or microbial contamination.
- d) Thermal Emissions. The facility shall be designed and operated so that thermal emissions do not cause a sustained increase in ambient air temperature at any property line beyond the limits below, measured at 5 feet above grade:
 1. Residential or mixed-use property line: not more than +2°F above ambient background, averaged over any 15-minute period.
 2. Nonresidential property line: not more than +4°F above ambient background, averaged over any 15-minute period.
 3. No thermal emission shall create unsafe conditions on sidewalks, trails, roadways, or public spaces due to icing, fogging, or thermal plume interaction with winter conditions.

3. Energy and Sustainability

- a) Efficiency Target. Applicants shall design for PUE of 1.2 or lower, or demonstrate the highest efficiency reasonably achievable given site constraints; documentation shall be provided at the time for Site Plan review and post-occupancy.
- b) Renewable Energy. The applicant shall demonstrate that on-site renewable energy generation will meet at least 90 percent of the project’s projected annual

energy demand. If the applicant demonstrates, to the Township's satisfaction, that this standard cannot reasonably be achieved through on-site generation alone, the Township may approve compliance through a combination of power purchase agreements, renewable energy credits, or utility green power programs. Any approved renewable energy source or procurement method shall not include nuclear energy.

- c) Heat Reuse. Applicant shall provide a feasibility analysis for waste-heat recovery or district-energy interconnection.
- d) Reporting. See Section I for annual reporting requirements.
- e) Water Conservation.
 - 1. Cooling shall be designed as a closed-loop / closed-cycle system with no routine discharge of noncontact cooling water to the sanitary sewer/POTW or to surface waters, in order to comply with applicable local sewer use ordinances (including prohibitions/limitations on noncontact cooling water and heat to the POTW) and EGLE discharge/withdrawal permitting requirements (including NPDES authorization and Michigan Water Quality Standards, and large-quantity withdrawal registration/review where applicable)
- f) Security and Emergency Access
 - 1. Perimeter Security.
 - a. Sites shall be fully enclosed with a perimeter security system, which may include fencing, walls, or equivalent barriers not less than eight (8) feet in height.
 - b. Security barriers shall be designed to balance safety with community character; opaque fencing must be screened with landscaping where visible from public roads or residential areas.
 - 2. Access Control.
 - a. All site entrances shall include controlled access gates, guard stations, or equivalent security technology to prevent unauthorized entry.
 - b. Visitor and delivery access points must be separated from employee access points wherever feasible.
 - 3. Emergency Access.
 - a. A minimum of two (2) points of emergency vehicle access shall be provided, with clear signage and unobstructed pathways around the building.
 - b. Access drives shall be constructed to fire department standards, with sufficient load-bearing capacity for emergency apparatus.
 - c. Fire lanes shall be maintained free of obstructions.
 - 4. Cameras.
 - a. Installation and maintenance of a perimeter camera surveillance system capable of monitoring all vehicular and pedestrian access points, building entrances, and outdoor mechanical/equipment areas is required.

- b. Cameras shall be positioned to minimize intrusion into adjoining residential properties and public rights-of-way, while still providing full coverage of the site.
 - c. Camera systems shall be continuously operational (24 hours per day, 7 days per week) and recordings shall be retained for a minimum of 30 days.
 - d. A security plan, including camera layout, monitoring procedures, and data retention policies, shall be submitted as part of site plan review.
5. Fire Protection.
- a. Sites shall be equipped with an automatic fire detection and suppression system designed to protect both building occupants and sensitive equipment.
 - b. Suppression systems shall comply with National Fire Protection Association (NFPA) standards and be approved by the Fire Marshal.
6. Hazardous Materials.
- a. Any use of hazardous materials (including fuels for backup generators, batteries, and chemicals for cooling systems) shall comply with federal, state, and local storage, reporting, and disposal requirements.
 - b. Applicants shall provide a Hazardous Materials Management Plan identifying on-site materials, storage methods, spill prevention measures, and emergency response procedures.
 - c. Applicant shall provide a fire protection plan.
7. Emergency Response Plan. Applicants shall submit an Emergency Response Plan to the Township at the time of Site Plan review, which must include:
- a. Site layout for emergency responders.
 - b. Fire suppression and alarm systems description.
 - c. Backup generator location and fuel storage details.
 - d. Contact information for on-site security and facility management.

Operators shall provide annual training opportunities or site orientations to local fire, police, and emergency medical services.

4. Battery Energy Storage Systems (if provided)
- a) Battery Energy Storage Systems (BESS) shall be an accessory component to the principal use of the property.
 - b) BESS shall comply with NFPA 855, the Michigan Building/Fire Codes, and manufacturer's specifications.
 - c) Setbacks. Outdoor BESS containers shall be set back a minimum of 100 feet from property lines and 300 feet from residential districts/uses, unless a greater distance is required by NFPA 855 based on technology and aggregate capacity.

- d) Protection. Applicant shall provide: vehicle impact protection, fire-rated separation where required, gas detection, ventilation, and emergency shut-offs.
 - e) Applicant shall include a BESS-specific emergency response plan and data sheet package.
5. On-Site Substation/Switchyard (if provided)
- a) Shall be located to minimize visual and noise impacts; and shall provide evergreen screening and security fencing consistent with utility standards.
 - b) Transformers shall include integral secondary containment sized per state rules.

I. Use of Consultants and Cost Recovery

- 1. The Township may retain qualified consultants to review energy efficiency, water use, air quality, BESS safety, renewable energy, stormwater, and related matters.
- 2. All reasonable costs for these reviews shall be escrowed by the applicant.

J. Monitoring and Reporting

- 1. Commissioning Documentation: Prior to Certificate of Occupancy, Applicant shall submit commissioning results for mechanical/electrical systems and acoustical compliance.
- 2. An Annual Report (by March 31) is required and shall include:
 - a) Actual annual energy consumption (MWh) and calculated PUE;
 - b) Renewable energy procurement and percentage of total load;
 - c) Water usage (gallons) and cooling method;
 - d) Generator testing/operating hours and emissions compliance statement with current EGLE permits;
 - e) Sound level monitoring summary; and
 - f) Summary of efficiency/cooling/security upgrades implemented.
- 3. Failure to monitor and report may be grounds to revoke any Township approvals.

K. Decommissioning

- 1. Plan Required. As a condition of Conditional Land Use and Site Plan approval, the applicant shall submit a Decommissioning and Site Restoration Plan that address:
 - a) Triggers for decommissioning.
 - b) Methods for removal of structures, equipment, utilities, and impervious surfaces.
 - c) Recycling and disposal of equipment and hazardous materials.
 - d) Final grading, soil stabilization, and revegetation.
 - e) Restoration of the site to a condition compatible with surrounding uses.
- 2. Triggers for Decommissioning
 - a) A center shall be considered abandoned if it ceases operations for a period of 12 consecutive months, unless the owner provides evidence of intent to resume operations.
 - b) Decommissioning must begin within 6 months of abandonment and be completed within 12 months of abandonment.

3. Financial Guarantee

- a) Prior to obtaining a building permit, the applicant shall post a financial guarantee in the form of a letter of credit, bond, or escrow account acceptable to the Township.
- b) The obligation to provide and maintain a financial guarantee is a continuing covenant that runs with the land and binds the owner, applicant, operator (if different), and all successors and assigns. No sale, conveyance, assignment, foreclosure, lease, or other transfer of any interest in the property shall impair or release the obligation to maintain the financial guarantee. The Township shall not release any financial guarantee unless the Township has confirmed in writing that the obligations secured thereby have been fully performed or that an acceptable substitute financial guarantee has been provided. The amount of the financial guarantee shall equal 150% of the estimated decommissioning cost, as determined by a qualified engineer and approved by the Township.
- c) Estimates for the cost of decommissioning must be updated every 5 years and adjusted for inflation. The Township may request additional financial guarantees based on the change in estimated cost.

4. Removal Standards

- a) All above-ground structures, including buildings, mechanical equipment, cooling towers, security fencing, and pavement not otherwise serving a reuse, shall be removed.
- b) Below-ground infrastructure, such as foundations and utilities, shall be removed to a minimum depth of 36 inches below grade unless otherwise approved.
- c) Materials shall be recycled to the maximum extent practicable.

5. Site Restoration

- a) The site shall be restored with topsoil, seeded or planted with native vegetation, and stabilized to prevent erosion.
- b) The Township may approve alternate restoration plans if the site is proposed for redevelopment consistent with the Master Plan and zoning ordinance.

6. Failure to Decommission

- a) If the owner fails to complete decommissioning in accordance with the approved plan, the Township may draw upon the financial guarantee to complete the work.
- b) The Township reserves the right to seek recovery of any costs incurred in excess of the financial guarantee collected.

L. Risk Mitigation

1. Purpose and intent

- a) High Resource Demand Facility (HRDF) and Data Centers can generate community impacts and service demands related to energy consumption, water use, stormwater, noise, traffic/road wear, visual impacts and aesthetics, public safety coordination, and long-term site management.

- b) The purpose of this Section is to require a Risk Mitigation Plan for High Resource Demand Facility (HRDF) and Data Centers that:
 1. Mitigates impacts that are reasonably attributable to the facility;
 2. Provides transparent, measurable commitments that support Township goals; and
 3. Establishes clear enforcement and reporting mechanisms.
2. **Applicability**

A Risk Mitigation Plan is required for any new High Resource Demand Facility (HRDF) or Data Center or expansion that meets one or more of the following thresholds:

 - a) Gross floor area of 10,000 square feet or more;
 - b) IT load of 10 MW or more (nameplate/critical IT load); or
3. **Plan Submittal Timing**
 - a) The applicant shall submit the Risk Mitigation Plan concurrently with the Site Plan and Conditional Use application.
 - b) The Planning Commission may deem an application incomplete until the Plan is provided in a form sufficient to evaluate compliance with this Section.
4. **Required contents of the Risk Mitigation Plan**

The Risk Mitigation Plan shall include, at minimum:

- a) **Project overview.** Site plan summary; construction phasing; expected operational date; anticipated employment (construction and permanent); and a description of on-site infrastructure (including electrical and water systems as applicable).
 - b) **Impact analysis.** A concise, plain-language description of expected impacts on:
 1. public utilities and infrastructure (electric, water, sewer as applicable);
 2. stormwater and groundwater protection;
 3. traffic and roadway wear (construction and operations);
 4. noise, lighting, and hours/character of operations;
 5. public safety coordination (fire, EMS, police); and
 6. long-term site management and decommissioning (if applicable).
5. **Risk mitigation commitments.** The applicant shall provide commitments meeting all baseline requirements in subsection 6.. Each commitment must include:
 - a) a measurable deliverable (e.g., dollar amount, number of trainees, percentage, kWh, gallons, acres, etc.);
 - b) a timeline/milestones;
 - c) the responsible party
 - d) reporting method; and
 - e) proposed remedies if the commitment is not met.

6. Requirements

As a condition of approval, the applicant shall commit to the following requirements, in a form acceptable to the Township:

- a) Local workforce and procurement.
 1. Good-faith local hiring and contracting plan, including outreach to Washtenaw-area unions/trades, community colleges, and workforce programs; and
 2. Annual reporting of construction hours and permanent jobs by residency (to the extent permitted by law) and contracting spend by geography.
- b) Public safety coordination and preparedness.
 1. Pre-occupancy coordination meeting(s) with Township fire/EMS and code officials;
 2. Facility emergency response information provided to Township (site contact list, shutoffs, hazard inventory, access plan); and
- c) Environmental performance.
 1. A water stewardship plan (efficiency, leak detection, and, if applicable, reuse/recycling strategies);
 2. A noise and lighting management plan demonstrating ongoing compliance and complaint response procedures; and
 3. A sustainability/energy plan describing how the facility will minimize emissions and peak-load impacts (e.g., efficiency measures, demand response participation, renewable procurement strategy), to the extent within the applicant's control.
- d) Community access and transparency. Public-facing reporting dashboard; community advisory meetings during construction; neighborhood hotline with response times; third-party audits of key metrics (energy, water) where feasible.
- e) Infrastructure improvements. Roadway, non-motorized, transit, or signal improvements proportionate to traffic and construction impacts; utility upgrades directly serving or mitigating impacts;
- f) Environmental enhancements. On-site habitat restoration, tree canopy targets, native landscaping, green infrastructure, carbon reduction commitments, or renewable energy support.

7. Review standards and findings

- a) The Township Board shall approve, approve with conditions, or deny the application based on whether the Risk Mitigation Plan:
 1. Contains all required elements in subsections 4 through 6;
 2. Provides clear, measurable commitments;
 3. Demonstrates that commitments are reasonably related to anticipated impacts and Township objectives; and
 4. Includes enforceable mechanisms for implementation and reporting.

- b) Approval may include conditions to ensure commitments are proportional and administratively feasible, consistent with the standards specified in the zoning ordinance.
8. Development agreement; security; enforcement
- a) Incorporation into approval. All commitments in the approved Risk Mitigation Plan shall be conditions of approval and shall be incorporated into a Development Agreement and/or recorded document, as determined by the Township.
 - b) Annual reporting. The operator shall submit an annual report to the Township documenting compliance with each commitment for the prior calendar year. Reports shall be made publicly available except for proprietary or security-sensitive information.
 - c) Noncompliance. If the Township determines a material commitment is not being met, the Township may:
 - 1. Require a corrective action plan with a defined cure period;
 - 2. Draw upon performance security where applicable;
 - 3. Pursue civil remedies authorized by the zoning ordinance; and/or
 - 4. Initiate permit/approval enforcement consistent with the ordinance.
9. Modification

A material modification to an approved Risk Mitigation Plan (e.g., reduction in deliverables, extended timelines, or removal of a commitment) shall require Township approval in the same manner as the original Plan, unless the approving body determines the modification is minor.

M. Standards

- 1. The Planning Commission shall determine, and shall provide evidence of its determinations in its report to the Township Board, that the following standards have been met. Failure to meet any standard may be grounds for recommendation of denial:
 - a). The Planned Unit Development (PUD) standards set forth in Section 6.02.B.

SECTION 40- 11.50: High Resource Demand Facilities

Nonresidential Districts Use Table						
	Commercial		Industrial and Office Districts		Public Facility	
Use Category	C-1	C-2	I	BD	PF	Specific Use Standard (Article, Section)
Industrial						
High Resource Demand Facility:			C			40- 11.50
Large-Scale Data Centers and Data Processing Centers			C			40- 11.50
Small-Scale Data Centers and Data Processing Centers			C			40- 11.50
Accessory Data Centers and Data Processing Centers			A	A		40- 11.50