

Memorandum



Date: October 17, 2025
To: Township Board
From: Jodi Stefforia, Planning Director
Subject: Energy Systems Zoning Ordinance Text Amendments

Objective

Update the Township Board on the status of drafting zoning ordinance text to address energy systems, including energy storage systems.

Background

In 2023, the Michigan Legislature passed what became PA 233 of 2023 that limits local zoning of solar, wind and energy storage systems. The Act took effect in November 2024.

The Act grants the Michigan Public Service Commission (MPSC) new authority to issue certificates for renewable energy projects at designated thresholds and gives developers the *option* to go directly to the MPSC for approval rather than through local zoning.

The Township can stay silent or develop an ordinance to address utility scale systems. Not providing language in the ordinance directs a developer to the MPSC for approvals to build a facility. If we do develop an ordinance, two approaches can be taken:

1. Develop what is called a 'Compatible Renewable Energy Ordinance' (CREO) that meets but does not exceed the regulations provided for in PA 233.
2. Develop a 'Workable Incompatible Ordinance' (WIO) that exceeds the requirements of PA 233 but is reasonable to the extent that a developer would choose to follow our ordinance instead of essentially bypassing the Township and seeking approval.

Based upon direction given by the Planning Commission last year, I have prepared a comprehensive ordinance that addresses utility scale solar, wind and energy storage as well as accessory-scale uses that a business or homeowner may desire for on-site use. A first draft, which has since been revised per continued research and observation of other communities dealing with this issue, was on the Planning Commission agenda last February. It was a full agenda that evening resulting in meeting adjournment before the item was discussed. As result, there has not yet been a formal discussion or review of a draft ordinance at the Planning Commission. I hope to place a draft on the December or January agenda as room allows.

There are presently no applications for a facility in the Township. I do know there's interest in establishing energy storage facility on Van Kal Street near the ITC substation. Staff has met with a company that made general inquiries which resulted in the invitation to formally present the technology which occurred at the August 14, 2025 Planning Commission meeting. No specific sites were the focus of the presentation or discussion that followed.

Core Values

Public Service
Sustainability