

**LOCKE TOWNSHIP**  
**Ingham County, Michigan**

**ORDINANCE #2018-01**

**AN ORDINANCE TO AMEND THE 2005 LOCKE TOWNSHIP ZONING ORDINANCE, AS AMENDED, TO DEFINE TERMS PERTAINING TO SOLAR ENERGY SYSEMS AND PET DAY CARE FACILITIES, AUTHORIZE SUCH USES IN SPECIFIED DISTRICTS, AND ESTABLISH STANDARDS AND REQUIREMENTS PERTAINING TO THE SAME.**

**THE TOWNSHIP OF LOCKE ORDAINS:**

**Section 1.**

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the insertion of Line #5 and Line #6 under "Other Uses Not Listed Above" in Table 10-2 of Article 10, in addition to the insertion of a Footnote 2, to read as follows:

| PRINCIPAL USES              |  | ZONING DISTRICTS & PERMITTED PRINCIPAL USES                                      |     |     |     |      |       |
|-----------------------------|--|--|-----|-----|-----|------|-------|
|                             |  | "BR" = Use Permitted by Right<br>"S" = Special Land Use<br>"--" = Prohibited Use |     |     |     |      |       |
|                             |  | A-1  | R-1 | R-2 | R-3 | R-MF | R-MHC |
| Other Uses not Listed Above |  |  |     |     |     |      |       |
| 5                           | Solar Energy Systems, Medium. <sup>2</sup> | BR   | --  | --  | --  | BR   | BR    |
| 6                           | Solar Energy Systems, Large. <sup>2</sup>  | S  | --  | --  | --  | --   | --    |

**Footnote 2:**

2. See Sec. 14.24 regarding authorization of "Small" Solar Energy Systems including systems accessory to dwellings.

**Section 2.**

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the insertion of Line #4 and Line #5 under "Other Uses Not Listed Above" in Table 10-3 of Article 10, in addition to the insertion of a Footnote 2, to read as follows:

| PRINCIPAL USES              |  | ZONING DISTRICTS & PERMITTED PRINCIPAL USES                                      |     |
|-----------------------------|--|--|-----|
|                             |  | "BR" = Use Permitted by Right<br>"S" = Special Land Use<br>"--" = Prohibited Use |     |
|                             |  | B-1  | I-1 |
| Other Uses not Listed Above |  |  |     |
| 4                           | Solar Energy Systems, Medium. <sup>2</sup> | BR   | BR  |
| 5                           | Solar Energy Systems, Large. <sup>2</sup>  | S  | S   |

**Footnote 2:**

2. See Sec. 14.24 regarding authorization of "Small" Solar Energy Systems including systems accessory to dwellings.

**Section 3.**

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the insertion of Line 26 under "Uses of a Primarily Commercial or Business Character" in Table 10-3, to read as follows:

**Table 10-3  
PERMITTED PRINCIPAL USES in COMMERCIAL and INDUSTRIAL DISTRICTS**

|    | PRINCIPAL USES                                  | ZONING DISTRICTS & PERMITTED USES |     |
|----|---|-----------------------------------|-----|
|    |   | B-1                               | I-1 |
|    |   |                                   |     |
|    | <b>Uses of a Primarily Commercial Character</b> |                                   |     |
| 26 | Pet Day Care Facilities.                        | S                                 | --  |

**Section 4.**

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the deletion of Section 14.16 and the insertion of the following in its place:

**Section 14.16 Kennels and Pet Day Care Facilities**

**A. The following site and developmental requirements shall apply:**

1. The lot shall be at least five (5) acres in size.
2. In the case of kennels, buildings where animals are kept and outdoor dog areas shall not be located closer than 200 feet to any lot line. In the case of pet day care facilities, no outdoor dog area shall be located closer than one hundred (100) feet to any lot in a Conservation or Residential District and shall not be located closer than fifty (50) feet to any lot located in any other District.

**B. Special Performance Standards:**

1. The premises shall be kept in a clean and sanitary manner to prevent the accumulation of flies, the spread of disease or offensive odor. The site plan application materials shall document the manner in which animal stalls are to be constructed and animal waste is to be disposed, and measures to be taken to protect against environmental contamination, odors, fleas, and the spread of disease.
2. All animals must be licensed and maintained in a healthful and careful manner.
3. All buildings housing animals shall be insulated in such a manner that animal noises are minimized.
4. Habitual barking or unusual noise that results in a nuisance to neighboring land owners or residents is prohibited.
5. Outdoor dog areas shall not be used between the hours of 10:00 p.m. and 7:00 a.m. in the case of a kennel. Outdoor dog areas shall not be used between the hours of 8:00 p.m. and 7:00 a.m. in the case of a pet day care facility.
6. Animals shall be kept confined and not allowed to run at large on the property, except as part of supervised training.
7. Kennels and pet day care facilities shall comply with all licensing and health regulations and rules of the Ingham County Health Department and other county and state agencies having jurisdiction.

## **Section 5.**

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the insertion of Section 14.24 in Article 14, to read as follows:

### **Section 14.24 Solar Energy Systems**

**A. Compliance with Table 10-4:** Solar energy systems shall comply with the standards of Table 10-4 except as provided otherwise by this Section.

#### **B. Small Solar Energy Systems (Small SES)**

1. **Small SES Authorization, Review and Approval Procedures:** A Small SES is an authorized accessory structure in all districts. Small SES shall be subject to Zoning Administrator approval. An application for a Small SES shall include all information required for a plot plan according to Section 3.04(B), in addition to the delineation of all SES structures and facilities, and all structures on adjacent properties within one hundred (100) feet of a shared lot line.
2. **Small SES General Provisions:** Small SES collection panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties and public roads. The applicant shall submit documentation to verify compliance with this section. When deemed necessary, the Zoning Administrator may require a report from a registered civil engineer or other professional deemed qualified by the Zoning Administrator, attesting to the glare and radiation impact on nearby properties and public roads.
3. **Small SES Roof-Mounted Systems**
  - a. Small SES roof-mounted systems may exceed the maximum height standard for the structure to which it is attached according to the District in which it is to be located, but no portion of the system shall extend more than five (5) feet above the roof surface to which it is attached directly below.
4. **Small SES Ground-Mounted Systems**
  - a. Small SES ground-mounted collection panel systems and associated equipment shall comply with the standards for accessory structures for the District in which the panels are to be located except that in no case shall the panels exceed fifteen (15) feet in height as measured from the ground below.
  - b. In the case of a ground mounted solar panel(s) located on a lot that is adjacent to a lot in a Conservation or Residential District, where the panels are to be located within one hundred (100) feet of a shared lot line with such lot, the panels shall be screened from view from such lot. The screening shall consist of one (1) evergreen tree per twenty (20) linear feet of panel length and such trees shall be spaced no greater than twenty-five (25) feet apart measured on-center. Trees shall be a minimum height equal to fifty percent (50%) of the height of the panel(s). Required screening need not be in the immediate area of the panels that the plantings are intended to screen if the planting locations provide for the intended screening effect. No tree shall be located within five (5) feet of a lot line. All plant material shall be maintained in a healthy condition to provide the necessary screening, shall be permitted to grow according to its natural habit, and shall be replaced upon death or disease.
    - 1) The Zoning Administrator may permit a maximum fifty percent (50%) reduction in the number and size of tree plantings where the adjacent property is vacant and not likely to be developed within the next five (5) years based on nearby development trends during the preceding five (5) years, where natural features are present that serve to assist in the screening of the panel(s) such as existing topographic or vegetative conditions, where existing structures will assist in the screening of the panel(s), and/or where other conditions may be present that make typical screening requirements ineffective or otherwise unnecessary.
  - c. If a ground mounted Small SES ceases to operate or is abandoned for one (1) year, or is deemed by the Building Inspector to be unsafe or not consistent with the building code, the applicant shall repair and restore the system to good working order within a reasonable time set by the Zoning Administrator or otherwise remove the system in its entirety including posts, equipment, panels, foundations and other features and restore the ground to its preconstruction state.

### C. Medium Solar Energy Systems (Medium SES)

1. Medium SES Authorization, Review and Approval Procedures: A Medium SES is an authorized permitted use according to Tables 10-2 and 10-3 of Article 3, and is subject to site plan approval according to Article 4.
2. Medium SES General Provisions
  - a. No above-ground portion of a Medium SES shall be located in a front yard and such above-ground features shall comply with the side and rear yard setback standards of Table 10-4 of Article 10.
  - b. Solar panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties and public roads. The applicant shall submit documentation to verify compliance with this section, prepared by a registered civil engineer or other professional deemed qualified by the Planning Commission.
3. Medium SES Roof-Mounted Systems: A roof-mounted Medium SES may exceed the maximum height standard for the structure to which it is attached according to the District in which it is to be located, but no portion of the system shall extend more than five (5) feet above the roof surface to which it is attached directly below.
4. Medium SES Ground-Mounted Systems
  - a. Ground-mounted medium SES solar collection panels are prohibited in a front yard and shall be setback from all property lines the same distance as required for the principal building on the property. Such setback shall be a minimum of fifty (50) feet where the respective yard is adjacent to a lot in a Conservation or Residential District.
  - b. Ground-mounted solar collection panels shall not exceed fifteen (15) feet in height except that the maximum height shall be eighteen (18) feet in Business and Industrial Districts.
  - c. Screening of ground-mounted panels shall be provided as required for Small SES, according to subsection (B).
  - d. If a ground mounted Medium SES ceases to operate or is abandoned for one (1) year, or is deemed by the Building Inspector to be unsafe or not consistent with the building code, the applicant shall repair and restore the system to good working order within a reasonable time set by the Zoning Administrator or otherwise remove the system in its entirety including posts, equipment, panels, foundations and other features and restore the ground to its preconstruction state.

### D. Large Solar Energy Systems (Large SES)

1. Large SES Authorization, Review and Approval Procedures: A Large SES is an authorized permitted use according to Tables 10-2 and 10-3 of Article 3, and is subject to the review and approval provisions of Article 5.
2. Large SES General Provisions: Large SES shall comply with the site development standards of subsection (C) for Medium SES, and shall be subject to the special land use approval standards of Chapter 5.

**E Self-Contained Solar Energy Systems:** Solar energy systems that do not exceed four (4) square feet in total solar collector panel area, intended to provide energy to operate a device to which such panel is attached such as in the case of a panel powering an exterior light or an attic fan, are permitted in all districts and may be erected without the issuance of a land use permit.

1. Setbacks: Self-contained solar energy systems shall comply with the setback restrictions applicable to accessory structures in the respective District.
2. Heights: Self-contained solar energy systems shall comply with the height restrictions applicable to accessory structures in the respective District except that in the case of a roof-mounted system, no portion of the system attached to the roof shall exceed three (3) feet above the roof surface below.

### Section 6.

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the insertion of Section 23.04(C)(4)(k), to read as follows:

- k. **Pet Day Care Facilities:** One (1) space per (9) animals that may be located at the facility at any one (1) time.

**Section 7.**

The 2005 LOCKE TOWNSHIP ZONING ORDINANCE, as amended, is amended by the insertion of the following phrases and corresponding definitions in Article 29:

**Pet Day Care Facility:** A business providing day care services to dogs and/or cats, and which may provide ancillary services for the dogs and/or cats receiving care such as grooming, exercise, socialization, training and retail sales of pet products. A pet day care facility shall not include a "kennel" as defined here in.

**Solar Energy System (SES):** A system consisting of a device or combination of devices, structures or parts thereof, that collect, transfer or transform solar radiant energy into thermal, chemical or electrical energy.

- a. **Small Solar Energy System (Small SES):** A solar energy system that relies on roof mounted and/or ground mounted collection systems that have a total cumulative surface area of no more than two-thousand (2,000 sq. ft.). A Small SES is typically intended to principally serve a single residential unit, agricultural operation or business.
- b. **Medium Solar Energy System (Medium SES):** A solar energy system that relies on roof mounted and/or ground mounted collection systems that have a total cumulative surface area of more than two-thousand (2,000 sq. ft.) but not more than ten-thousand (10,000) sq. ft. A Medium SES is typically intended to produce energy for use principally in association with multiple dwellings and/or businesses on a single lot on which the system is located and/or for use by off-lot properties and persons including in association with energy utility providers.
- c. **Large Solar Energy System (Large SES):** A solar energy system that relies on roof mounted and/or ground mounted collection systems that have a total cumulative surface area of more than ten-thousand (10,000) sq. ft. A Medium SES is typically intended to produce energy for use principally in association with multiple dwellings and/or businesses on a single lot on which the system is located and/or for use by off-lot properties and persons including in association with energy utility providers.
- d. **Solar Collection Panels:** Panels and tiles comprised of semiconductor devices and typically referred to as photovoltaic cells, which collect and convert solar energy directly into electricity. Ground mounted solar collection panels are panels attached to the ground by a pole, metal frame or other similar support structure.

**Section 8.**

The remaining provisions of the 2005 Locke Township Zoning Ordinance and all amendments thereto are hereby unchanged and reaffirmed.

**Section 9.**

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

**Section 10.**

This amending ordinance shall be effective eight (8) days after adoption and publication as provided by law.

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### CERTIFICATION

State of Michigan  
County of Ingham

I, Glenda Turner, the duly elected, qualified and acting clerk of the Township of Locke, Ingham County, State of Michigan, do hereby certify as follows:

1. The foregoing is a true and complete copy of Ordinance #2018-01 adopted by the Locke Township Board at a regular meeting on June 12, 2018.
2. The foregoing Ordinance was moved for adoption by Fuller, seconded by Van Dooren and adopted by the following vote: Yes: 5 No: 0.
3. The Township Board members voted as follows:  
 Yes: Van Dooren, Schulz, Hart, Turner, Fuller  
 No: none  
 Abstaining: none Absent: none
4. A public hearing on the proposed Zoning Ordinance amendments was held by the Locke Township Planning Commission on May 15, 2018.
5. Ordinance #2018-01 and the record of publication were duly recorded in the Book of Ordinances of the Township of Locke and is available for public use and inspection at the office of the Locke Township Clerk.
6. The foregoing Ordinance was published on the 24<sup>th</sup> day of June, 2018, in The Enterprise, a newspaper of general circulation in the Township of Locke.  
*Effective - July 3, 2018*
7. An attested copy of the foregoing Ordinance was filed with the Ingham County Clerk on the 25<sup>th</sup> day of June, 2018.

Glenda Turner, Clerk 6/12/2018  
 Glenda Turner, Clerk                      Date