

**ZONING ORDINANCE AMENDMENT: ZA 2017-02
HURON COUNTY, MICHIGAN**

NOTICE IS HEREBY GIVEN that the Zoning Ordinance of Huron County was recently amended by revising Article XV, to include [New Section] Section 15.02, Subsection 9, “An Amendment To Impose A Moratorium On The Issuance Of Permits, Licenses Or Approvals for any property subject to or under the jurisdiction of the County’s Zoning Ordinance for the establishment or use of Commercial Solar Energy Systems” This Amendment, ZA 2017-02, was approved by action of the Huron County Board of Commissioners on May 23, 2017. The Amendment to include [New Section] Section 15.02.9 Moratorium was adopted and is more fully described herein:

AMENDMENT TO

ARTICLE XV

**Huron County Commercial Solar Energy System Zoning Ordinance
[New Subsection] Section 15.02, Subsection 9. Moratorium**

Section 15.02.9 Moratorium

Section 15.02.9.1 Definition *Commercial Solar Energy System. Equipment that converts and then stores or transfers energy from solar into usable forms of energy and includes any form of collector, or other component used in the system, intended for large scale commercial sale and/or distribution through an electrical grid.*

Section 15.02.9.2 Findings *In accordance with 2006 P.A. 110, as amended, Huron County has determined that:*

1. *Pursuant to the Michigan Zoning Enabling Act, 2006 P.A. 110, being MCL 125.3101 et seq., authorizes Huron County (the “County”) to adopt reasonable regulations to control the establishment and use of large scale, commercial solar energy systems.*
2. *The County Zoning Ordinance currently does not have regulations for large scale, commercial solar energy systems.*
3. *There are currently developers securing leases for large scale, commercial solar energy systems for development on property zoned for agricultural use.*
4. *Of the 452,185.7 acres of agricultural land in Huron County, 75.4% is enrolled in the Farmland Preservation and Open Space Program (commonly known as “PA 116”).*
5. *According to Mr. Richard Harlow from the Michigan Department of Agriculture and Rural Development, commercial solar energy systems would not be permitted on land enrolled in PA 116.*
6. *Harlow also reports that for land to be released from PA 116, it would have to be released to property zoned as commercial and/or industrial usage, which would result in the request for re-zoning of property that is currently zoned for agricultural usage.*
7. *MCL 125.3201(1) allows a local unit of government to provide by zoning ordinance the regulation of land development to ensure that the use of land is situated in appropriate locations and relationships to limit the inappropriate overcrowding of land and congestion of population, transportation systems, and other public facilities and promote public health, safety, and welfare.*
8. *Spicer Group is currently revising the County’s master plan, and has recently been requested to include the regulation of large-scale commercial solar energy development as part of the revision of the master plan, and, as such, it is advisable that the County not entertain any new projects until the revised master plan is complete.*
9. *The County finds that it is necessary and reasonable to establish a moratorium upon the issuance of any and all permits, licenses, and approvals for any property subject to or under the jurisdiction of the County’s*

Zoning Ordinance for the establishment and use of large-scale commercial solar energy systems for one (1) year or until the County has adequate zoning provisions in place to regulate the development of large-scale commercial solar energy development, as well as taking into consideration the recommendations pertaining to solar energy systems in the Huron County revised master plan.

10. *The County finds that adopting such a moratorium is in the best interest of the public health, safety, and welfare and to that end has drafted this proposed “Amendment To Article XV. Special Approval Use Permits [New Subsection] Section 15.02, Subsection 9.”*

Section 15.02.9.3 Moratorium *A moratorium is hereby imposed upon the issuance of any and all permits, licenses or approvals for any property subject to or under the jurisdiction of the County’s Zoning Ordinance for the establishment or use of Commercial Solar Energy Systems, so long as this amendment is in effect.*

Section 15.02.9.4 Term of Moratorium *The moratorium imposed by this amendment shall remain in effect for one (1) year from its effective date or until such time the County has adopted zoning provisions to regulate the development of commercial solar energy systems.*

Section 15.02.9.5 Validity and Severability *Should any portion of this amendment be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this amendment.*

Section 15.02.9.6 Repealer Clause *Any ordinance or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this amendment full force and effect.*

Section 15.02.9.7 Effective Date *Except as otherwise provided under MCL 125.3402, pursuant to MCL 125.3401(6), this amendment shall become effective upon the expiration of 7 days after publication, as required by MCL 125.3401(7).*

Date of Adoption by the Board of Commissioners: May 23, 2017

Date of Publication: June 2, 2017

Date Ordinance Amendment shall take effect: June 9, 2017

The Zoning Ordinance of Huron County and documents relating to this amendment are available for public inspection and/or purchase at the Huron County Planning, Building, and Zoning Department, County Building, 250 East Huron Ave, Room 102, Bad Axe, Michigan, 48413, during regular business hours.

CERTIFICATION

I, Lori Neal-Wonsowicz, Clerk of the Huron County Board of Commissioners, do hereby certify that the foregoing is a true and complete copy of a resolution in Ordinance form adopted by the Huron County Board of Commissioners, Bad Axe, Michigan, at the meeting held on May 23, 2017, the original of which is part of the Board minutes.

Lori Neal-Wonsowicz

Lori Neal-Wonsowicz, Huron County Clerk