



Lenawee County Planning Commission

Staffed by the Region 2 Planning Commission (R2PC)
120 W. Michigan Avenue • Jackson, MI 49201
Phone (517) 788-4426 • Fax (517) 788-4635

MEETING NOTICE

FOR FURTHER INFORMATION CONTACT:

Grant E. Bauman
R2PC Principal Planner
(517) 768-6711
gbauman@co.jackson.mi.us

DATE: August 16, 2018

TIME: 6:30 p.m.

PLACE: 2nd Floor Committee Room
Lenawee County Courthouse
Adrian, Michigan

MEETING AGENDA

1. Call to Order and Pledge of Allegiance
2. Public Comment [*3-MINUTE LIMIT*]
3. Approval of Agenda [*ACTION*]
4. Meeting Minutes
- Approval of the Minutes of the July 19, 2018, Meeting [*ACTION*] 3
5. Request(s) for Review, Comment, and Recommendation
 - a. Consideration of Township Zoning Amendment(s)
 - (1) #18-09— Rollin Township [*ACTION*] 5
 - b. Consideration of PA 116 Farmland Agreement(s) — None
 - c. Consideration of Master Plan(s) — None
6. Other Business
 - a. Old Business — None
 - b. New Business — None
7. Public Comment [*2 MINUTE LIMIT*]
8. Commissioner Comment
9. Adjournment

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MEETING MINUTES

Thursday, July 19, 2018

Old Lenawee County Courthouse • 2nd Floor Commission Chambers • Adrian, Michigan

Members Present: Ms. Karol (KZ) Bolton, Lenawee County Commission; Mr. Keith Dersham, LCPC Secretary; Mr. Bruce Nickel; and Mr. Dale Witt

Members Absent: Mr. Bob Behnke, Education Representative; Ms. Rebecca Liedel, LCPC Chair; and Mr. Ralph Tillotson, Lenawee County Commission

Others Present: Mr. Grant Bauman, LCPC Staff/Recording Secretary

Item 1 **Call to order** — The meeting was called to order at 6:30 p.m. by Secretary Dersham. Those in attendance rose and joined in the Pledge of Allegiance.

Item 2 **Public comment** — None.

Item 3 **Approval of Agenda** — Staff submitted the 7/19/18 meeting agenda for approval.

A motion was made by Comm. Bolton, and seconded by Comm. Witt, to approve the July 19, 2018, meeting agenda as amended. *The motion passed unanimously.*

Item 4 **Approval of Minutes** — Staff submitted the 6/21/18 meeting minutes for approval.

A motion was made by Comm. Nickel, and seconded by Comm. Bolton, to approve the June 21, 2018, meeting minutes as written. *The motion passed unanimously.*

Item 5 **Request(s) for Review, Comment, and Recommendation**

a. **Consideration of Township Zoning Amendment(s)**

- (1) **#18-08 | Raisin Charter Township** — Commissioners reviewed proposed text amendments to the *Raisin Charter Township Zoning Ordinance* regarding medical marihuana home occupations. Staff summarized his report and advised recommending approval with comments of the text amendments (see the staff report). Staff also clarified that the proposed amendments apply to Primary Caregivers which are regulated at the state level under the Michigan Medical Marihuana Act rather than the more intensive uses regulated under the Medical Marihuana Facilities Licensing Act (i.e., growers, processors, secure transporters, provisioning centers, and safety compliance facilities). Commissioners discussed the proposed text amendments. Comm. Witt stated his intent to abstain from the vote due to his relationship with Raisin Charter Township (per Section 107(A)(4) of the LCPC Bylaws).

A motion was made by Comm. Nickel, and seconded by Comm. Bolton, to recommend approval with staff comments of the proposed text amendments to the Raisin Charter Township Board. *The motion passed by majority vote, with Comm. Witt abstaining.*

b. **Consideration of PA 116 Farmland Agreement(s)**

- (1) **#18-11 | Blissfield Township** — Commissioners reviewed a proposed agreement for properties located on Berry Road in Section 28 (T7S,R5E) of Blissfield Township, noting the presence of a dwelling included in the application and various application errors/omissions identified by staff (see the staff report).

A motion was made by Comm. Bolton, and seconded by Comm. Nickel, to recommend approval with staff comments. *The motion passed unanimously.*

c. **Consideration of Master Plan(s)** — None.

Item 6 **Other Business**

- a. **Old Business** — There was a brief discussion regarding the Annual Dinner held in June. Staff noted that the event was well attended and comments about it were positive.
- b. **New Business** — None.

Item 7 **Public Comment** — None.

Item 8 **Commissioner Comment** — Comm. Bolton suggested that the LCPC should sponsor some type of training opportunity for municipal planning commissions.

Item 9 **Adjournment**. The meeting was adjourned at 7:00 pm.

Respectfully submitted,



Grant E. Bauman, Recording Secretary



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COORDINATED ZONING REPORT | #18-09

To: County Planning Commissioners

From: Grant E. Bauman

Date: August 16, 2018

**Proposal: Text Amendments Regarding Solar Energy Facilities to the
Rollin Township Zoning Ordinance**

The Rolling Township Planning Commission developed the attached zoning ordinance amendments from a model ordinance created by the Region 2 Planning Commission in cooperation with Macon Township. A differentiation is made between 2 types of proposed solar energy facilities:

- A Large Solar Energy Facility (or Solar Farm) is a utility-scale commercial facility developed for the purpose of wholesale or retail sales of generated electricity.
- A Small Solar Energy Facility is any device that is accessory to the primary use of the property and designed for the purpose of reducing or meeting on-site energy needs.

Large Solar Energy Facilities (Solar Farms)

Allowable Districts. Solar Farms are proposed as a permitted use after special approval (i.e., special land use) in Agricultural (AG) and Industrial (M-1) zoning districts.

Minimum Lot Size. The minimum lot size for a Solar Farm is 20 acres.

Height. The maximum height of solar panels is 14 feet. This takes into account the rotation of panels to maximize exposure to sunlight throughout the day. The height of the 'power switchyard'—the structure needed to connect the solar energy facility to electric transmission lines—is limited to the height needed to tie into the electric transmission lines. All other buildings/accessory structures must meet the height requirements of the underlying zoning district.

Setbacks. Solar arrays and other structures must be set back at least 30 feet from all lot lines and road rights-of-way (or the minimum setback of the underlying zoning district if greater). They must also be set back at least 100 feet from residential properties and residentially zoned properties in existence at the time the Solar Farm is approved.

Security Fencing. Security fencing meeting the 'fences, walls, and other protective barriers' requirements listed in Section 4.11 of the ordinance is required.

Noise. Maximum allowable noise levels produced by a Solar Farm were established at a range of 45-60 decibels (see the amendments for more detail). 60 decibels is comparable to the noise generated by an air conditioner or conversational speech.

Screening. At least 50% of the perimeter of a Solar Farm adjacent to residential lots (in existence at the time the Solar Farm is approved) must be screened using vegetation, berms, fencing, or like materials. When vegetation is utilized, at least 50% of it must be evergreen. There are no minimum plant size or

spacing requirements.

Lighting. Lighting is limited to the minimum necessary and cannot extend beyond the Solar Farm perimeter. Staff suggests that a photometric study may be required to make that determination. Any lighting standards should match pertinent standards listed elsewhere in the zoning ordinance.

Glare. Glare from a Solar Farm is prohibited from being a nuisance to neighboring properties or travelers on neighboring roads.

Electrical Cabling. All medium voltage cable within the Solar Farm must be buried, with the exception of the power switchyard or within a substation. The Planning Commission may waive this requirement due to severe environmental constraints.

Agreements/Easements. If lot is to be leased by the owner of the Solar Farm, all property within the project boundary must be included in some type of recorded legal agreement specifying the applicable uses for the duration of the project. All necessary legal agreements between the owner of the Solar Farm and property owners must be in place prior to commencing construction.

Permit Application. A Solar Farm permitted use after special approval permit application must include a complete description of the project. Any related permitted use after special approval permit applications for substations or new transmission lines should be submitted at the same time. The intended route for connecting to the power grid and the alternative locations for any substation must be disclosed.

Siting Considerations. All necessary permits from the Michigan Department of Environmental Quality and any other applicable municipal/county or Federal permits are required. The site plan must take into account issues such as avoiding areas of environmental concern and prominent scenic viewsheds. The disposal of hazardous wastes, and the prevention of spills and their cleanup, must also be addressed. Proof of an agreement with the County Road Commission/MDOT regarding any construction phase of the project is required.

Decommissioning Plan. A plan shall describe the decommissioning of a Solar Farm and final reclamation of the land, including evidence of proposed commitments to the owners of leased lots.

Small Solar Energy Facilities

Allowable Districts. Small solar energy facilities are proposed as accessory uses in all zoning districts. Written authorization from the utility company to connect with the electrical grid is required if such connection is proposed.

Height. Roof-mounted facilities may not exceed the maximum building heights (principal or accessory) specified for the underlying zoning district (and they may not extend beyond the edge of a roof). Ground-mounted facilities may not exceed a height of 14 feet.

Size. The surface area for a ground-mounted facility shall be calculated as part of the allowable overall lot coverage permitted in the underlying zoning district.

Setbacks. The minimum setback for a ground-mounted facility is equivalent to the principal building setback of the underlying zoning district. No ground-mounted facility or facility mounted to an accessory structure is permitted within the required front yard setback.

Screening. Mechanical equipment must be screened from adjacent residentially zoned or used property. At least 50% of vegetation used for screening must be evergreen. A decorative fence that is at least 50% opaque may be used instead of vegetation.

Electrical Cabling. All electrical cabling between a ground-mounted facility and a principal structure must be buried.

Reclamation. Any earth disturbance resulting from the removal of a ground-mounted facility shall be graded and reseeded. An abandoned or inoperable facility shall be removed after 6 months.

Solar Access

No assurance of solar access is made by the local government. An applicant may provide evidence of legal documentation for abutting property owners providing solar access.

Ordinance Organization

Standards for Solar Farms and small solar energy facilities are amended to Article IV (General Provisions). Solar Farms are proposed for addition to the permitted use after special approval listings in all pertinent zoning districts (Articles VIII and XVII). Definition amendments are proposed in Article III.

Analysis and Recommendation

Township Planning Commission Recommendation – The Rollin Township Planning Commission recommends **approval** of the proposed rezoning (see the background information).

CZC Staff Analysis – Staff informs the LCPC that the proposed amendments are based upon a model ordinance it developed. Various corrections to the text and other suggestions are provided in the attached ordinance. The Township should also consider including minimum plant size and spacing requirements in Section 4.35.A2a(6)(b).

CZC Staff Recommendation – Based upon this analysis, staff advises the Planning Commission to recommend **APPROVAL WITH COMMENTS** of the proposed text amendments.

Recommended Actions:

- (1) Recommend **APPROVAL**
- (2) Recommend **DISAPPROVAL**
- (3) Recommend **APPROVAL WITH COMMENTS**
- (4) Take **NO ACTION**

LCPC Case #: _____
(For LCPC Use Only)

ZONING AMENDMENT FORM



LENAWEE COUNTY PLANNING COMMISSION (COORDINATING ZONING)

Return to: Lenawee County Planning Commission • c/o Region 2 Planning Commission • 120 W. Michigan Avenue • Jackson, Michigan 49201

Please submit the Planning Commission meeting minutes and any reports/exhibits the Commission used to make its recommendation with this form. Use a separate form for each proposed zoning change. Please include a legal description/survey with rezoning requests in addition to the Parcel ID Number.

A copy of this form with the LCPC recommendation will be mailed back to the Clerk, who will return a copy to the LCPC with the Township Board Action.

THE Rollin TOWNSHIP PLANNING COMMISSION submits the following proposed zoning change to the Lenawee County Planning Commission for its review, comment, and recommendation:

(ANSWER EITHER A or B)

A. DISTRICT BOUNDARY CHANGE (REZONING):

(Provide the legal and popular property descriptions, the Parcel ID Number(s), the number of acres, and the section(s) in which the property is located. Attach additional sheets if more space is needed. Attach a map showing all changes and additions.)

1. The above described property has a proposed zoning change FROM _____ ZONE TO _____ ZONE.
2. PURPOSE OF PROPOSED CHANGE: _____

B. ZONING ORDINANCE TEXT AMENDMENT:

The following Article(s) and Section(s) is amended or altered: ARTICLE III, IV, VII, VIII SECTION _____

The NEW SECTION reads as follows: (Attach additional sheets if more space is needed.)

ADDING SOLAR ENERGY FACILITIES (SOLAR FARMS) TO ZONING Ordinance

- C. PUBLIC HEARING on the above amendment was held on: month Aug day 2 year 2018
- D. NOTICE OF PUBLIC HEARING was published/mailed on the following date: month JULY day 17 year 2018
- (Notice must be provided at least fifteen days prior to the public hearing.)

- E. THE NEWSPAPER (having general circulation in Township) carrying the NOTICE: EXPONENT
- The PROPOSED ZONING AMENDMENT described herein was duly considered by the Township Planning Commission and will be forwarded to the Township Board with a recommendation to (☒) APPROVE or () DISAPPROVE.

_____, Recording Secretary Aug / 02 / 2018 (enter date)

LENAWEE COUNTY PLANNING COMMISSION (LCPC) ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The LCPC herewith certifies receipt of the proposed amendment on the above date and:
- () Recommends APPROVAL of the zoning change
- () Recommends DISAPPROVAL of the zoning change for the reasons stated in the attached letter.
- () Recommends APPROVAL of the zoning change with comments, as stated in the attached letter.
- () Takes NO ACTION.

_____, () Chair or () Secretary _____ / _____ / _____ (enter date)

TOWNSHIP BOARD ACTION:

1. Date of Meeting: month _____ day _____ year _____
2. The _____ Township Board herewith certifies that a legally constituted meeting held on the above date and that the proposed amendment () PASSED, () DID NOT PASS, or was () REFERRED ANEW to the Township Planning Commission.

ROLLIN TOWNSHIP
LENAWEE COUNTY, MICHIGAN
ORDINANCE NO. 2018/7/05

An ordinance to amend Article IV of the Rollin Township Zoning Ordinance by adding Section 4.35 regarding solar energy facilities within the Township; adding Large Solar Energy Facilities (Solar Farms) to the listings of ~~Special Land Uses~~Permitted Uses After Special Approval in the Agricultural (AG) and Industrial (~~IM-1~~) Districts; and the replacement, deletion, and addition of associated definitions to Article III.

The Township of Rollin ordains:

Section 1. Amendment to Article IV

Article IV of the Rollin Township Zoning Ordinance is amended by adding Section 4.35, Solar Energy Facility, as follows:

Section 4.35. SOLAR ENERGY FACILITY. Sunlight is utilized to generate energy through a facility consisting of one or more solar devices under common ownership or operational control. Such a facility may include, but not be limited to, substations, cables/wires and other buildings/structures accessory to such facility, whose main purpose is to supply energy on-site or to off-site customer(s):

A. LARGE SOLAR ENERGY FACILITY (SOLAR FARM). The purpose of this Subsection is to establish minimum requirements and regulations for the placement, construction and modification of large solar energy facilities (solar farms), as defined in Section 3.01.89B while promoting the safe, effective and efficient use of such energy facilities as a ~~special land use~~ [Permitted Use After Special Approval]permitted use after special approval in specified zoning districts.

1. LOCATION. All large solar energy facilities (solar farms) are limited to the Agricultural (AG) and Industrial (~~IM-1~~) districts.

2. REGULATIONS AND DESIGN STANDARDS. All large solar energy facilities (solar farms) shall comply with the following minimum regulations and design standards.

a. DESIGN STANDARDS.

(1) MINIMUM LOT SIZE. No large solar energy facility (solar farm) shall be erected on any lot less than twenty (20) acres in size.

(2) MAXIMUM HEIGHT. The maximum height for a solar panel shall be fourteen (14) feet. The maximum height of a power switchyard (see the definition in Article III) shall not exceed the minimum height needed to tie into electric transmission lines. The height of all other structures shall meet the maximum building height requirements of the zoning district listed in Article XX.

- (3) SETBACKS. Large solar energy facility (solar farm) solar arrays and other structures shall be set back from all lot lines and public road rights-of-way at least thirty feet, or the district setbacks stated in Article XX, whichever is greater. In addition, large solar energy facility (solar farm) solar arrays and other structures must be located at least one hundred feet from all residentially zoned lots and existing residences; ~~unless the zoning lot is comprised of a portion of the lot containing the residence~~. Additional setbacks may be required to mitigate noise and glare impacts, or to provide for designated road or utility corridors, as identified through the review process.
- (4) SAFETY/ACCESS.
- (a) An appropriate fence, wall, or other protective barrier, meeting the requirements of Section 4.11 shall be placed around the perimeter of the large solar energy facility (solar farm). Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
 - (b) Appropriate warning signage shall be placed at the entrance and perimeter of the large solar energy facility (solar farm).
- (5) NOISE. No operating large solar energy facility (solar farm) shall produce noise that exceeds any of the following limitations. Adequate setbacks shall be provided to comply with these limitations.
- (a) Fifty (50) dBA, as measured at the property line of any neighboring residentially zoned lot.
 - (b) Forty-five (45) dBA, as measured at any existing neighboring residence between the hours of nine p.m. and seven a.m.
 - (c) Sixty (60) dBA, as measured at the lot lines of the project boundary.
- (6) VISUAL APPEARANCE.
- (a) Large solar energy facility (solar farm) buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend the facility into the existing environment.
 - (b) Appropriate landscaping and/or screening materials shall be required to help screen the

large solar energy facility (solar farm) and accessory structures from adjacent residences. At least fifty percent (50%) of those lot lines must be screened as appropriate. Berms, walls, vegetation and like materials shall be used and at least fifty percent (50%) of vegetative screening shall be evergreen. Adjacent residential lots that contribute to the acreage of the zoning lot do not count towards the screening requirements.

- (c) Lighting of the large solar energy facility (solar farm) and accessory structures shall be limited to the minimum necessary, supplied with down lighting, and in no case shall light from the facility extend beyond the lot line. A photometric study may be required to make that determination.
 - (d) No large solar energy facility (solar farm) shall produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.
- (7) MEDIUM VOLTAGE CABLE. All medium voltage cable (see the definition in Article III) within the project boundary shall be underground, unless determined otherwise by the planning commission because of severe environmental constraints (e.g. wetlands, cliffs, hard bedrock), and except for power switchyards (see the definition in Article III) or area within a substation. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.
- b. LOCAL, STATE AND FEDERAL PERMITS. A large solar energy facility (solar farm) shall be required to obtain all necessary permits from the Michigan Department of Environmental Quality and any applicable municipal/county or Federal permits.
 - c. AGREEMENTS/EASEMENTS. If the zoning lot (please see the definition in Article III) on which the project is proposed is to be leased, rather than owned, by the solar energy development company, all property within the project boundary must be included in a recorded easement(s), lease(s), or consent agreement(s) specifying the applicable uses for the duration of the project. All necessary leases, easements, or other agreements between the solar

development company and the affected parties must be in place prior to commencing construction, unless specified otherwise by the ~~special land use~~permitted use after special approval permit.

3. PERMIT APPLICATIONS. An application for ~~a special land use permit [Permitted Use After Special Approval]~~permitted use after special approval to establish a large solar energy facility (solar farm) shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in Section 4.35 be met. Supporting documentation for addressing the review criteria of this Section and ~~Article XXI~~Section 21.13 (~~required standards and findings for making a permitted use after special approval determination~~permitted use after special approval) is also to be provided. The planning commission and/or township board may require any information reasonably necessary to determine compliance with this ordinance.

It is preferred that any related ~~special land use permit~~permitted use after special approval applications for substations or new transmission lines be considered in conjunction with the ~~special land use~~permitted use after special approval permit application for the large solar energy facility (solar farm); however, if the details of those improvements are not available at the time of application for the large solar energy facility (solar farm), they may be considered later, through subsequent ~~special land use permit~~permitted use after special approval review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the large solar energy facility (solar farm).

Due to the complexity of large-scale large solar energy facility (solar farm) projects, the Township shall require a development agreement or other appropriate instrument to address taxing, property assessment, decommissioning bond, and other related issues not addressed by this Section. A development agreement may be required as a condition of the permit and must be approved by the Township Board prior to commencing construction.

4. PROVISIONS FOR PERMITTED USES AFTER SPECIAL APPROVAL REVIEW. In addition to the review standards set forth in Section 21.13 ~~Article XXI~~ for permitted uses after special approval, consideration shall be given to the following as the Township determines whether the project needs to be approved, denied, or conditionally approved:
 - a. PROJECT RATIONALE. Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.

- b. SITING CONSIDERATIONS. Siting considerations, such as avoiding ~~are-as~~areas/locations with a high potential for biological conflict such as areas of environmental concern, parks, trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds; avoiding areas of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.
- c. SITE PLANS. Site plans, which shall identify and/or locate all existing and proposed structures; setbacks; access routes; proposed road improvements; any lots within three hundred (300) feet of a large solar energy facility (solar farm); existing utilities , pipelines, and transmission lines; proposed utility lines; utility and maintenance structures; existing topographic contours; existing and proposed drainage ways; proposed grading; areas of natural vegetation removal; revegetation areas and methods; dust and erosion control; any floodplains or wetlands; and other relevant items identified by the planning commission. Ail maps and visual representations need to be drawn at an appropriate scale and in accordance with Article IV (required data for detailed site plan).
- d. WILDLIFE HABITAT AREAS AND MIGRATION PATTERNS. Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the Michigan Departments of Natural Resources and Environmental Quality will be necessary.
- e. ENVIRONMENTAL ANALYSIS. The planning commission may require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area, when there is reason to believe that adverse impacts to such may occur.
- f. HAZARDOUS WASTE. As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes.
- g. TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES. Proof of an agreement with the County Road Commission, and the Michigan Department of

Transportation (if applicable) regarding any construction phase of the project is required.

- h. PUBLIC SAFETY. Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.
 - i. DECOMMISSIONING PLAN. Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (Township, any lessor or property owner, etc.) that ensure proper final reclamation of the large solar energy facility (solar farm). Among other things, revegetation and road repair activities should be addressed in the plan.
 - j. OTHER PROBABLE AND SIGNIFICANT IMPACTS, as identified through the review process.
- B. SMALL SOLAR ENERGY FACILITY. Notwithstanding other provisions of this Section of the Ordinance, Small Roof-Mounted or Ground-Mounted Solar Energy Facilities shall be considered a permitted use in all zoning districts as an accessory to a principal use. A Small Roof Mounted Solar Energy Facility as defined in Section 3.01.89B, shall be required to have appropriate building permits.
 - 1. All Small Solar Energy Facilities are subject to the following minimum requirements:
 - a. A small solar energy facility shall provide power for the principal use and/or accessory use of the property on which the small solar energy facility is located and shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
 - b. A small solar energy facility connected to the utility grid shall provide written authorization from the local utility company to Rollin Township acknowledging and approving such connection.
 - c. A roof-mounted facility may be mounted on a principal building or accessory building. A roof mounted facility, whether mounted on the principal building or accessory building, may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district. In no instance shall any part of the small solar energy facility extend beyond the edge of the roof.

- d. A ground mounted facility shall not exceed a height of fourteen (14) feet.
- e. The surface area of a ground mounted facility, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.
- f. A ground mounted facility or facility attached to an accessory building shall not be located within the required front yard setback.
- g. The minimum ground-mounted small solar energy facility setback distance from the property lines shall be equivalent to the principal building setback of the underlying zoning district.
- h. All mechanical equipment associated with and necessary for the operation of the small solar energy facility shall comply with the following:
 - (1) Mechanical equipment shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other non-invasive plant species which provides a visual screen. At least fifty percent (50%) of plants must be evergreen. In lieu of a planting screen, a decorative fence meeting the requirements of Section 4.11 may be used.
 - (2) Mechanical equipment shall not be located within the minimum front yard setback of the underlying zoning district.
 - (3) Mechanical equipment for ground-mounted facilities shall comply with the setbacks specified for principal structures in the underlying zoning district.
- i. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties or roadways.
- j. All power transmission lines from a ground mounted small solar energy facility to any building or other structure shall be located underground.
- k. A small solar energy facility shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy facility provided they comply with the prevailing sign regulations.

- I. The design of the small solar energy facility shall conform to applicable industry standards. A building/zoning permit shall be obtained prior to construction. In the case of a roof-mounted facility, the existing roof structure and the weight of the facility shall be taken into consideration when applying for a small solar energy facility permit.

All wiring shall comply with the applicable version of Michigan's construction codes. The local utility provider shall be contacted to determine grid interconnection and net metering policies. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturer from a certifying organization and any such design shall be certified by an Engineer registered in the State of Michigan.

- m. The small solar energy facility shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of such facility.
- n. Before any construction can commence on any small solar energy facility the property owner must acknowledge that he/she is the responsible party for owning/leasing and maintaining the solar energy facility.

2. If a ground mounted small solar energy facility is removed, any earth disturbance as a result of the removal of the ground mounted facility shall be graded and reseeded.

3. If a ground mounted small solar energy facility has been abandoned (meaning not having been in operation for a period of six (6) months) or is defective or is deemed to be unsafe by the Building Inspector, the facility shall be required to be repaired by the owner to meet federal, state and local safety standards, or be removed by the property owner within the time period allowed by the Building Inspector. If the owner fails to remove or repair the defective or abandoned small solar energy facility, the Township may pursue a legal action to have the facility removed at the owner's expense.

- C. **SOLAR ACCESS.** The Township makes no assurance of solar access other than the provisions contained within this Section. The applicant may provide evidence of covenants, easements, or similar documentation for abutting property owners providing access to solar energy for the operation of a solar energy facility.

Section 2. Amendment to Article VIII

Article VIII of the Rollin Township Zoning Ordinance is amended by adding Large Solar Energy Facilities (Solar Farms) to the listing of Permitted Uses After Special Approval (Section 8.02) in the Agricultural District, as follows:

SECTION 8.02 PERMITTED USES AFTER SPECIAL APPROVAL

The following uses shall be permitted subject to the conditions hereinafter imposed and subject further to the review and approval of the Planning Commission:

23. Large Solar Energy Facilities (Solar Farms), subject to regulations contained in Section 4.35.

Section 3. Amendment to Article XVII

Article XVII of the Rollin Township Zoning Ordinance is amended by adding Large Solar Energy Facilities (Solar Farms) to the listing of Permitted Uses After Special Approval (Section 17.02) in the Industrial District, as follows:

SECTION 17.02 PERMITTED USES AFTER SPECIAL APPROVAL

The following uses shall be permitted after there has been a review of preliminary site and building plans by the Township Planning Commission if the Commission finds that the proposed use will constitute a desirable and stable development which will be in harmony with development in adjacent areas; will not cause traffic congestion on public streets; and will not be contrary to the spirit and purpose of this Ordinance.

8. Large Solar Energy Facilities (Solar Farms), subject to regulations contained in Section 4.35.

Section 4. Amendment to Article III

Article III of the Rollin Township Zoning Ordinance is amended by adding definitions under Solar Energy Facility (Section 3.01.89B),

Section 3.01.89B SOLAR ENERGY FACILITY: An energy generating facility consisting of one or more solar panels and associated equipment including, but not limited to:

- A. LARGE SOLAR ENERGY FACILITY (SOLAR FARM). A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV) or various experimental solar technologies, for the primary purpose of wholesale or retail sales of generated electricity.
- B. SMALL SOLAR ENERGY FACILITY. Any photovoltaic or solar hot water devices that are accessory to and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.
- C. PHOTOVOLTAICS (PV). A technology that converts light directly into electricity.
- D. POWER SWITCHYARD. The structure needed to tie the solar energy facility to electric transmission lines.
- E. MEDIUM VOLTAGE CABLE. 34.5 kV lines which provide electricity to homes.

Section 5. Severability

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. Repeal

All ordinances or parts of ordinances in conflict with this Ordinance are repealed.

Section 7. Effective Date

This ordinance shall become upon publication.

YEAS: () _____
NAYS: () _____
ABSENT: () _____

Ordinance declared adopted on _____.

Irma David, Supervisor
Township of Rollin

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Denice Combs, the duly elected Clerk of the Township of Rollin certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Township of Rollin on and published in the Adrian Telegram, a newspaper circulated in the Township of Rollin on _____.

Denice Combs, Clerk
Township of Rollin