

**SOLAR FARM ORDINANCE
TOWNSHIP OF JAMES, MICHIGAN
ord. no. 2017-1 eff. _____**

THE TOWNSHIP OF JAMES ORDAINS:

SECTION 1: PURPOSE

1.00 Purpose.

Intent and Purpose: To promote the use of Solar Energy within James Township as a clean alternative energy source and to provide for the land development, installation and construction regulations for large photovoltaic solar farm facilities subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish minimum requirements and standards for the placement, construction and modification of large photovoltaic solar farm facilities, while promoting a renewable energy source for our community in a safe, effective and efficient manner.

SECTION 2: APPLICABILITY

2.00 Applicability.

This ordinance applies to all commercial solar installations within the Township of James.

SECTION 3: SEVERABILITY

3.00 Severability.

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

SECTION 4: DEFINITIONS:

4.00 Definitions.

a. **Solar Farm:** An area of land designated for the purpose of producing photovoltaic electricity. The power generated is sold to electric companies for distribution throughout the power grid. Solar farms can cover anything between 1 acre and 100 acres, and are usually developed in rural areas.

SECTION 5: SOLAR FARM DEVELOPMENT AND DESIGN STANDARDS.

5.00 Development and Design Standards.

- a. Solar Farms shall be subject to Special Use in CG, A, R-R zoned areas.
- b. **Minimum Lot Size:** Large photovoltaic solar farm facilities shall not be constructed on parcels less than twenty (20) acres in size.
- c. **Height Restrictions:** All photovoltaic panels located in a solar farm shall be restricted to a height of fourteen (14) feet.
- d. **Setbacks:** All photovoltaic solar panels and support structures associated with such facilities (excluding perimeter security fencing) shall be a minimum of ten (10) feet from a side or rear property line and a minimum of twenty (20) feet from any road or highway right-of-way.
- e. **Maximum Lot Coverage:** Maximum lot coverage restrictions shall not apply to photovoltaic solar panels. Any other regulated structures on the parcel are subject to maximum lot coverage restrictions.
- f. **Safety/Access:** A security fence (height and material to be established through the special use permit process) shall be placed around the perimeter of the solar power plant and electrical

equipment shall be locked. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.

- g. Noise: No large photovoltaic solar farm facilities shall exceed sixty-five (65) dBA as measured at the property line.
- h. Landscaping: Large photovoltaic solar farm facilities shall be required to install perimeter landscaping equal to one (1) tree for each twenty-five (25) feet of road or highway frontage. The equivalent of one (1) tree shall be required along the sides and rear of such developments equal to one (1) tree every twenty-five (25) feet of property line when abutting existing homes or developed parcels. The Planning Commission may alter the landscaping requirement depending upon the location and existing plant material on the site. Trees shall be a minimum of four (4) feet tall when planted and remain in good condition for the life of the large photovoltaic solar farm.
- i. Local, State and Federal Permits: Large photovoltaic solar farm facilities shall be required to obtain all necessary permits from the U.S. Government, State of Michigan, and James Township, and comply with standards of the State of Michigan adopted codes.
- j. Electrical Interconnections: All electrical interconnection or distribution lines shall comply with all applicable codes and standard commercial large-scale utility requirements. Use of above ground transmission lines shall be prohibited within the site.
- k. Additional Special Use Criteria: The following topics shall be addressed in a Special Use application for such large photovoltaic solar farm facilities in addition to the Special Use Review Criteria:
 - 1) Project description and rationale: Identify the type, size, rated power output, performance, safety and noise characteristics of the system, including the name and address of the manufacturer, and model. Identify time frame, project life, development phases, likely markets for the generated energy, and possible future expansions;
 - 2) Analysis of onsite traffic: Estimated construction jobs, estimated permanent jobs associated with the development;
 - 3) Visual impacts: Review and demonstrate the visual impact using photos or renditions of the project or similar projects with consideration given to tree plantings and setback requirements;
 - 4) Wildlife: Review potential impact on wildlife on the site;
 - 5) Environmental analysis: Identify impact analysis on the water quality and water supply in the area, and dust from project activities;
 - 6) Waste: Identify solid waste or hazardous waste generated by the project;
 - 7) Lighting: Provide lighting plans showing all lighting within the facility. No light may adversely affect adjacent parcels. All lighting must be shielded from adjoining parcels, and light poles are restricted to eighteen (18) feet in height;
 - 8) Transportation plan: Provide access plan during construction and operation phases. Show proposed project service road ingress and egress access onto primary and secondary routes, layout of the plant service road system. Due to infrequent access to such facilities after construction is completed, it is not required to pave or curb solar panel access drives. It will be necessary to pave and curb any driveway and parking lots used for occupied offices that are located on site;
 - 9) Public safety: Identify emergency and normal shutdown procedures. Identify potential hazards to adjacent properties, public roadways, and to the community in general that may be created;
 - 10) Sound limitations and review: Identify noise levels at the property line of the project boundary when completed;

- 11) Telecommunications interference: Identify electromagnetic fields and communications interference generated by the project;
 - 12) Life of the project and final reclamation: Describe the decommissioning and final land reclamation plan after anticipated useful life or abandonment or termination of the project, including evidence of an agreement with the property owner that ensures proper final removal of power generating equipment within six (6) to twelve (12) months of decommissioning.
1. The Planning Commission Review: Because of the ever changing technical capabilities of photovoltaic solar panels and of new technology in general, the Planning Commission shall have the authority to review and consider alternatives in both dimensional requirements as well as physical development requirements found in this Section. The Planning Commission shall not have the authority to review or to allow large photovoltaic solar farm facilities within any other zoning district.

SECTION 5

EFFECTIVE DATE.

This ordinance shall take effect upon publication following its adoption.

TOWNSHIP OF JAMES

VOTE ON SAID ORDINANCE

Adopted:

Yeas: _____

Nays: _____

Edward Hak, Township Supervisor

Thomas J. Dierich, Township Clerk

CERTIFICATION

The above ordinance is a true copy of the ordinance made and passed by the James Township Board at a regular meeting of said board held on the 8th day of May, 2017.

Thomas J. Dierich, Township Clerk

The above ordinance was published in The Township View, on the ____ day of _____, 2017.

Thomas J. Dierich, Township Clerk