

ROSS TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

NOTICE OF SPECIAL PLANNING COMMISSION MEETING
AND PUBLIC HEARING ON ZONING ORDINANCE TEXT AMENDMENTS

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF ROSS, KALAMAZOO COUNTY, MICHIGAN, AND ALL OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the Ross Township Planning Commission will hold a special meeting on September 12, 2022 at 6:00 p.m. at the Ross Township Hall located at 12806 M-89 within the Township of Ross, Kalamazoo County, Michigan that will include the following:

1. A public hearing on proposed Ross Township Zoning Ordinance text amendments intended to bring solar farms and solar panels under specific zoning regulations and in brief as follows:
 - A. The addition to Section 2.2 of definitions for solar farm and solar panel; the addition of a new Section 18.9 providing regulations regarding solar panels; the addition to Section 12.3 providing for solar farms as a special land use in the I-R Restricted Industrial District; the addition of solar farms to Article 20 Standards Required of Special Land Uses; and the addition of a new Item 36 to Article 20 providing special land use regulations regarding solar farms.
2. Such other and further matters as may properly come before the Planning Commission.

Written comments will be received concerning the above matter by the Ross Township Clerk at the Ross Township Hall at any time during regular business hours on regular business days until and including the day of the meeting, and may further be submitted to the Planning Commission at the meeting.

The proposed text amendments and the Ross Township Zoning Ordinance/Map/Land Use Plan may be examined by contacting the Ross Township Clerk at the Township Hall during regular business hours on regular business days maintained by the Township offices from and after the publication of this Notice and until and including the day of the meeting, and further may be examined at the meeting.

All interested persons are invited to be present at the aforesaid time and place.

Ross Township will provide necessary reasonable auxiliary aids and services at the meeting to individuals with disabilities, such as signers for the hearing impaired and audiotapes of printed materials being considered, upon three day's advanced notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township Clerk.

Ross Township Planning Commission
By: Jim Lauderdale, Chair

Carin Louis
Ross Township Clerk
12086 M-89
Richland, Michigan 49083
269-731-4888

ROSS TOWNSHIP

KALAMAZOO COUNTY, MICHIGAN

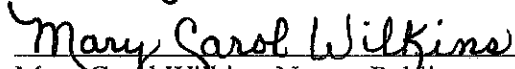
AFFIDAVIT OF POSTING

On August 24th, 2022, I (or my designee) conspicuously posted at the Ross Township Hall and on the Township website, ~~www.ross-township.org~~ ^{ross-township.org} a copy of the Notice of the September 12, 2022 Ross Township Planning Commission special meeting and public hearing.



Carin Louis, Clerk

Subscribed and sworn before me this 24th day of August, 2022.



Mary Carol Wilkins, Notary Public
State of Michigan, County of Kalamazoo
My Commission Expires: 07/03/2025
Acting in County of Kalamazoo

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Subject: Solar Energy Facilities

Text Amendment: Section 2.2--Definitions of Terms

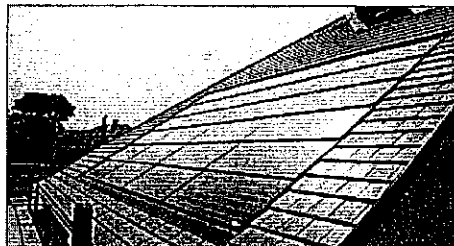
- **Solar Farm:** a solar panel energy system designed and intended to provide electricity to off-site customers or the electric grid.
- **Solar Panel:** a solar panel, a photovoltaic panel, solar hot air or hot water panel collector device or other type of energy system which relies on solar radiation as the source for the generation of electricity or the transfer of stored heat. A solar panel is an accessory use in all zoning districts subject to Section 18.9.

A 'solar panel', accessory to a principal use, is distinct from a 'solar panel energy system' designed and intended to provide electricity to off-site customers or the electric grid ('solar farm').

Text Amendment: Section 18.9--Solar Panels

Solar panels, either attached to principal or accessory buildings or as freestanding accessory structures, shall be allowed in all zoning districts, subject to the following requirements:

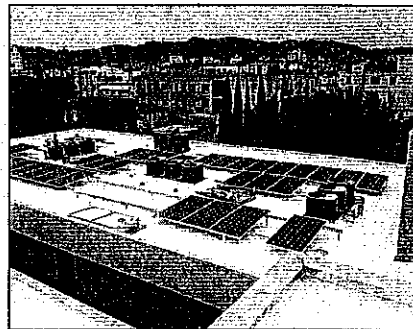
- A. Attached to a building. Solar panels may be attached to the roof or a wall, but not both.
 1. Building-mounted solar panels shall be subject to the height and setback requirements applicable to the building to which they are attached.
 2. Roof-mounted solar panels shall include solar panels integrated as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.



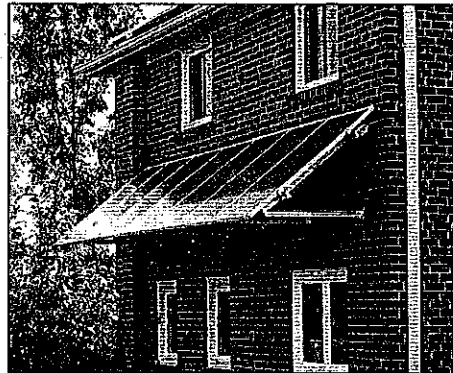
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- a. Flush-mounted solar panels installed on a sloped roof surface shall not project vertically above the peak of the roof to which they are attached.
- b. Flush-mounted solar panels installed on a flat roof shall not project vertically higher than the height of the parapet wall surrounding the roof or shall be screened by architectural features.
- c. Roof-mounted solar panels shall be only of such weight as can safely be supported by the roof. Proof thereof shall be submitted to the Township Building Official prior to installation and shall be subject to the Building Official's approval.



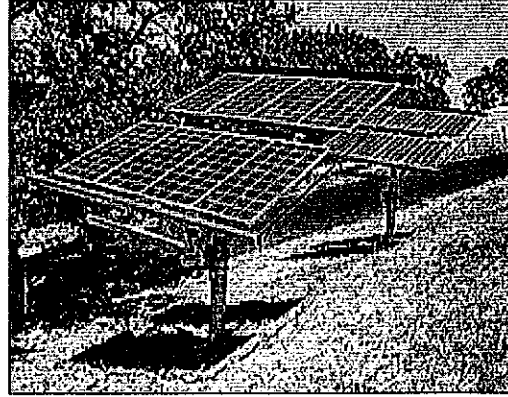
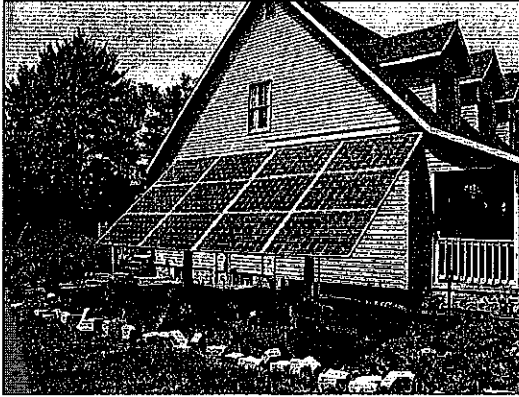
3. Wall-mounted solar panels shall not exceed the height of the wall to which they are attached.
4. Building-mounted solar panels shall be permanently and safely attached to the building or structure. Proof thereof shall be submitted to the Township Building Official prior to installation and shall be subject to the Building Official's approval.



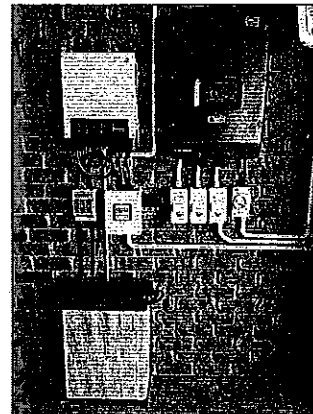
- B. Freestanding. Solar panels may be a freestanding accessory structure.
 1. Freestanding solar panels shall be subject to the height, setback and location requirements applicable to accessory buildings/structures established by Section 18.4.
 2. The surface area covered by freestanding solar panels shall be included in the lot coverage calculations for the lot.

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3. Freestanding solar panels shall be permanently and safely attached to the ground. Proof thereof shall be submitted to the Township Building Official prior to installation and shall be subject to the Building Official's approval.
 4. All related power transmission lines shall be placed underground.
- C. The exterior surfaces of solar panels and associated structures/equipment shall be generally neutral in color and substantially non-reflective of light.
- D. Solar panel-related energy storage systems shall be located within a secure enclosure when in use. When no longer in use, such energy storage systems must be disposed of in accordance with applicable laws and regulations.
- E. Solar panels and related energy storage systems shall conform to applicable industry standards and shall be installed, maintained and used only in accordance with the manufacturer's directions.
- F. Solar panels shall comply with all applicable Township construction-related codes and permitting requirements.
- G. Solar panels allowed as a permitted accessory use shall require an Administrative Review.
- H. Solar panels failing to meet the height, setback, location or lot coverage requirements set forth herein may be allowed as a special use, in accordance with Section 18.4 D.



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- I. Any solar panels that become inoperable or are not used for six (6) successive months shall be deemed abandoned and shall be dismantled and removed from the property at the expense of the property owner.

Text Amendment: **Article 12---I-R Restricted Industrial District
Section 12.3---Special Land Uses**

D. Solar Farms

Text Amendment: **Article 20---Standards Required of Special Land
Uses**

Solar Farms.....36

Text Amendment: **Article 20, Item 36 – Solar Farms**

A. Purpose:

The purpose of this section is to establish guidelines for the siting of solar panel energy systems designed and intended to provide electricity to off-site customers or the electric grid which shall hereafter be referred to as a solar farm. It is further the purpose and intent of this Section to:

1. Allow the safe, effective, and efficient use of a renewable energy system consistent with the goals and objectives set forth in the Ross Township Master Plan.
2. Preserve and protect public health, safety, welfare, and quality of life by minimizing the potential adverse effects of solar farms, including aesthetic impacts and risks to the values of adjoining properties.
3. Establish standards and procedures by which the siting, design, engineering, installation, operation, and maintenance of solar farms shall be governed.

B. Scope:

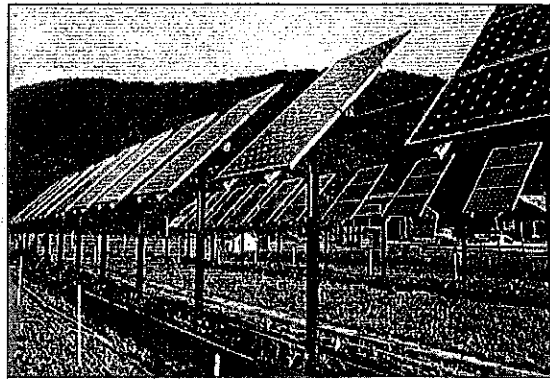
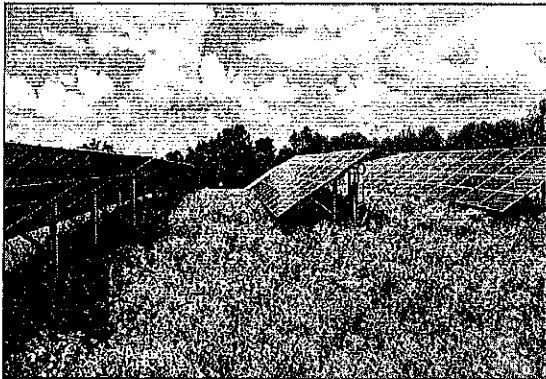
Solar farms shall be allowed as a Special Land Use in the I-R Restricted Industrial District as the principal use on a lot.

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C. Solar Farm Requirements:

1. A solar farm shall conform to the minimum front, side, and rear building setback requirements of the zoning district.
2. Freestanding solar panels within a solar farm shall not exceed the maximum building height requirements of the zoning district, as measured from the grade where the support structure of the solar panel is affixed to the ground to the top of the panel when oriented at maximum tilt.
3. Area covered by solar panels shall not be included in the lot coverage calculations for the lot.
4. All power transmission lines shall be located underground, unless otherwise modified by the Planning Commission in consideration of the Special Land Use Criteria established by Section 19.3.



D. Glare:

Solar panels shall be placed and arranged such that reflected solar radiation or glare shall not be directed onto adjacent buildings, properties, or roadways. The exterior surfaces of solar panels and associated structures/equipment shall be generally neutral in color and substantially non-reflective of light.

The solar farm shall meet any applicable Federal Aviation Administration guidelines for glare and placement in connection with any airports.

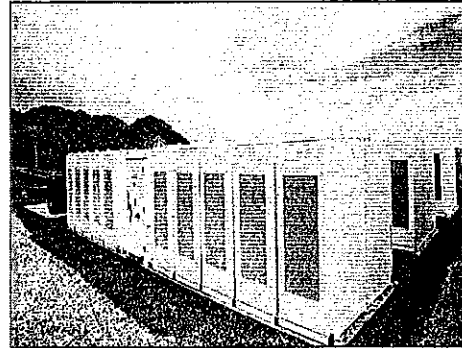
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E. Energy Storage System:

When an energy storage system is included as part of the solar farm, it must be placed in a secure enclosure when in use. When no longer in use, such energy storage system must be disposed of in accordance with applicable laws and regulations.

Energy storage system enclosures shall conform to the solar farm requirements set forth in subsection C.



F. Buffering:

Screening shall be provided along the perimeter of a solar farm, including along the adjacent road right-of-way, in accordance with the buffer zone requirements of Section 18.6.

Buffering should be at a height to obstruct the view at ground level but not inhibit solar production caused by shading. Required buffering is not intended to screen every part of the solar farm.

G. Permits:

Solar farms shall conform to applicable industry standards and shall be installed, maintained and used only in accordance with the manufacturer's directions.

Solar farms shall be required to obtain all necessary federal, state and local permits and comply with all applicable Township construction-related codes and requirements.

H. Removal:

1. A documented decommissioning plan shall be provided and shall:
 - a. State the anticipated life of the project;
 - b. Describe estimated decommissioning costs in current dollars and provide that this figure will be updated every fifth (5th) year after commercial operation of the utility-scale solar panel energy system;

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- c. Be signed by the party responsible for decommissioning and the landowner (if different);
 - d. Define the conditions upon which decommissioning will be initiated (e.g.; end of land lease, no power production for 12 months, etc.);
 - e. State that all equipment, conduit, structures, fencing, roads, and foundations will be removed by the end of the decommissioning period;
 - f. Require property to be restored to the condition it was in prior to the development of the solar farm;
 - g. Describe the timeframe for completion of decommissioning activities;
 - h. Describe any agreement (e.g. lease) with the landowner regarding decommissioning;
 - i. State the party currently responsible for decommissioning; and
 - j. Describe any plans or circumstances requiring an update of the decommissioning plan.
2. A recorded copy of the decommissioning plan shall be submitted to the Township.
 3. Decommissioning shall be completed within 12 months of determination by the Zoning Administrator that the solar farm is no longer being maintained in an operable state of good repair, unless the current responsible party with ownership interest in the facility provides substantial evidence to the Planning Commission of the intent to maintain and reinstate operation of the farm.
 4. A cash deposit, certified check, irrevocable bank letter of credit, surety bond, corporate guaranty, or other similar financial instrument acceptable to the Planning Commission that is equal to the cost of decommissioning is required. The amount of security shall be adjusted to equal the latest estimated net decommissioning costs under subsection G.1.b. above.