

See Below for the Existing Commercial Solar Energy Section adopted in 2018 (other sections not shown here are for home or farm use and you can review the entire ordinance in the full Zoning Ordinance on the website)

Section 12.27 – Solar Energy Systems

This ordinance aims to promote the accommodation of on-site residential and non-residential solar energy systems installed to reduce on-site energy consumption and associated equipment, as well as adequate access to sunlight necessary for such systems. This ordinance permits solar energy systems, while protecting the safety and welfare of adjacent and surrounding land uses through appropriate zoning and land use controls. Small scale solar energy systems and medium ground or pole systems shall be permitted in any zoning district as an accessory use, subject to specific criteria as set forth below. Large ground or pole mounted and commercial scale solar energy systems require a special land use application. Where general standards and specific criteria overlap, specific criteria shall supersede general standards.

Subsection L below is the existing commercial solar energy section:

- L. The installation and construction of a **commercial solar energy system (solar farm)** will require a special land use permit and be subject to the following standards.
 - 1. A commercial solar energy system may be established as principal or accessory uses in the AG Agriculture, AR Agriculture Residential Districts and in the RR Rural Residential District on parcels 40 or more acres. The following requirements apply:
 - a. Minimum Setbacks shall be 100 feet minimum from all lot lines and road right of ways. However, as a condition of approval, the Township may require increased setbacks if it determined that greater separation would better protect adjacent residents and landowners.
 - b. Maximum height allowed is 30 feet, measured from the natural grade below the unit to the highest point at full tilt. A taller system structure may be approved if a need for more height can be demonstrated such as nearby trees, buildings or topography.
 - c. Minimum Acreage for a solar farm is five (5) acres in the AG and AR Districts.
 - d. Views of collectors and equipment from residential properties or public right-of-way may be required to be screened. Screening methods may include the use of materials, colors, textures, screening walls, fences and landscaping that will blend the facility into the natural setting and existing environment.
 - e. A small sign with emergency contact information shall be installed on or near the solar energy equipment.
 - f. The area where the solar panel structures are located shall be enclosed with a six (6) foot high fence to prevent trespassing or vandalism.
 - 2. A decommissioning plan signed by the responsible party and the landowner (if different) addressing the following shall be submitted prior to approval:

- a. Defined conditions upon which decommissioning will be initiated (i.e. end of land lease, no power production for 12 months, abandonment, etc.)
- b. Removal of all utility owned equipment and non-utility owned equipment, conduit, structures, fencing, roads, solar panels, and foundations. The land owner may request to allow some items to remain such as an access road, fencing or concrete if approved by the Planning Commission.
- c. Restoration of property to condition prior to development of the system, except as approved in b above.
- d. The timeframe for completion of decommissioning activities.
- e. Description of any agreement or lease with landowner regarding decommissioning, if applicable.
- f. The entity or individual responsible for decommissioning.
- g. Plans for updating the decommissioning plan.
- h. A performance guarantee shall be posted in the form of a bond, letter of credit, cash, or other form acceptable to the Township, to ensure removal upon abandonment. As a part of the decommissioning plan, the responsible party shall provide at least two (2) cost estimates from qualified contractors for full removal of the equipment, foundations, and structures associated with the facility. These amounts will assist the Township when setting the performance guarantee amount. The performance guarantee shall be valid throughout the lifetime of the facility. Bonds and letters of credit shall be extended on a regular basis with expiration dates never less than two (2) years from the annual anniversary of special land use approval.