

Article XXXIV
Millen Township Ordinance 1467

PURPOSE: The purpose of this ordinance is to address the permitting of solar-collector panels (Utility Scale) in the Millen Township Agriculture District(AG) as it relates to the Millen Township Zoning Ordinance.

A utility-scale solar facility is one which generates solar power and feeds it into the grid, supplying a utility (power or energy company) with energy. Virtually every utility-scale solar facility has a power agreement with a utility, guaranteeing a market for its energy for a fixed term of time.

Millen Township, Alcona County, Michigan Ordains:

Section 3.5: Additions to the Millen Township Zoning Ordinance.

That the Millen Township Zoning ordinance is hereby amended to add to Section 2.1, Definitions Solar Collector Panels(Definition of Solar Energy Facilities-Utility Scale):

SOLAR ENERGY FACILITIES (UTILITY SCALE): A facility designed to capture and utilize the energy of the sun to generate electrical power to meet utility-scale needs. A solar energy collection facility consists of solar collection devices used to collect solar rays and all associated ancillary and structural devices needed to support and to convert/transmit the energy collected. These devices may be either freestanding or attached to a structure and are sized to meet the various user needs and/or requirements.

That the Millen Township Zoning Ordinance Section 3.5-AG-3.53 (Agricultural District) is hereby amended to add the following as a special exception use:

16. Solar Energy Facilities (Utility Scale)

That the Millen Township Ordinance Article 4.0 is hereby amended to add 40-4.5

Solar Energy Facility (Utility-Scale):

A. REFLECTION/GLARE: Attached, building- integrated or freestanding solar collection devices or combination of devices, shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a traffic hazard. This may be accomplished by both the placement and the angle of the collection devices as well as human-made or environmental barriers. Glare intensity is considered an issue if it measures more than 20 % of the incident sun intensity. Plans to reduce glare may be required in the initial materials submitted.

B. IMPERVIOUS SURFACE/STORMWATER: If more than 8,000 square feet of impervious surface will be located on the site, the application shall include a drainage plan prepared by a registered civil engineer showing how storm-water runoff will be managed. If detergents will be used to clean solar panels, details on the type of detergent, frequency and quantity of use, and storm-water quality protection measures shall be provided.

C. SCREENING: Solar devices shall be screened from view from any public street or residential district by use of a masonry screen wall, evergreen vegetation or other screening of a similar effectiveness of quality, as determined by the Millen Township Zoning Board.

D. SETBACKS: The setbacks of all solar collection devices and ancillary equipment shall be at least 50 feet from all property lines.

E. ABANDONMENT: Any freestanding solar collection site or device which is not used for six (6) months shall be deemed to be abandoned. The applicant/permit holder will be so notified in writing by Millen Township and requested to dismantle the site and return it to its original state. If there are mitigating circumstances as to why the site has not been used, the applicant/permit holder may contact Millen Township and request a three- month extension. If a site has been deemed abandoned and no request for an extension is received, the applicant/permit holder will again be notified and dismantle the site and return it to its original state. If the applicant/permit holder does not do this, Millen Township will have the removal and restoration done at the applicant/permit holders expense.

Removal shall include removing posts, equipment, panels, foundations and other items so the is restored to its preconstruction state and is ready for development as another land use.

Section 34.2: Severability

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 34.3: Saving Clause:

The Millen Township Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendment provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution of any of any right established, occurring prior to the effective date hereof.

Section 34.4: Effective Date

The ordinance changes shall take effect on the expiration of seven days after the publication of the notice of adoption.

Millen Township Supervisor

Millen Township Clerk

I, _____, Clerk for Millen Township, hereby certify that the foregoing is a true and correct copy of Ordinance No.1466 of Millen Township, adopted at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at

_____.
Adopted _____ Published _____
Effective _____ Subject to PA 110 Of 2006 as amended.