

**ALMENA TOWNSHIP  
ORDINANCE NO. 2020-01**

At a regular meeting of the Almena Township Board held at the Almena Township Hall on the 8<sup>th</sup> day of January 2020, at 4:00 p.m.

PRESENT: Greg Babik, Sheri Manning, Mark Roman, Kelly Redmond, Sandra Rickli, and Bill Vantassel

ABSENT: Tim Kloosterman

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The following ordinance was offered by Member Mark Roman and supported by Member Greg Babik :

**AN ORDINANCE TO AMEND SECTION 2.02, SECTION 9.01, AND ARTICLE XVII OF THE ALMENA TOWNSHIP ZONING ORDINANCE**

Section 1. Section 2.02 Definitions. Section 2.02 of the Almena Township Zoning Ordinance is amended to include the following definitions in alphabetical order:

**Accessory Building-Mounted Solar Energy System** - A solar energy collector attached to the roof or wall of a building.

**Accessory Ground-Mounted Solar Energy System** - A solar energy collector that is mounted directly to a support structure on the ground and is not connected to a building. The system is intended to generate energy for the principal and accessory land uses and buildings on the parcel of land on which the system is located.

**Commercial Solar Energy System** - A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Also known as a solar farm.

**Solar Energy Collector** - A panel or panels and/or other devices or equipment, or any combination thereof, that collect, store, distribute and/or transform solar, radiant energy into electrical, thermal, or chemical energy.

Section 2. Section 9.01 Intent. The second set of alphabetized paragraphs in Section 9.01, A-C, are amended to read as follows:

A. C-1. The intent of this district is to allow for businesses and uses that are appropriate on a state road corridor through the heart of the township. Although commercial use is not reflected on the Future Land Use Map for this area, it has been historically designated as commercial on the Zoning Map. Due to the lower elevations, high water table, prevalent wetlands, and its location within the North Branch of the Paw Paw River watershed, commercial development in this area is intended to be limited.

B. C-2. The intent of this district is to allow very limited commercial development options for an area historically zoned for commercial use. Because this area is not reflected on the Future Land Use map and is in close proximity to residential uses, the uses and building options are more limited and restricted than in C-1 and C-3.

C. C-3. At the intersection of two state highways, this crossroads development node is intended to allow for a full range of business and uses, based its environmental suitability for development, access to state roads, and historic commercial development pattern extending out from the intersection.

Section 3. Section Article XVII General Provisions. Article XVII is amended to include a new Section 17.39 Accessory Solar Energy Systems, to read in its entirety as follows:

### **Section 17.39 Accessory Solar Energy Systems**

A. Applicability. 1. This section authorizes and regulates accessory building-mounted and ground-mounted solar energy systems in all zoning districts.

2. This section does not permit commercial solar energy systems.

3. This section does not apply to smaller-scale solar energy collectors mounted on fences, poles, or on the ground with collector surface areas less than five (5) square feet and less than six (6) feet above the ground.

B. Application and Review. 1. In addition to all other required application contents for zoning and building permits, equipment and unit renderings, plans, and manufacturer's installation directions shall be submitted for review.

2. Building-mounted solar energy systems shall be approved administratively by the Township Building Official.

3. Accessory ground-mounted solar energy systems shall be approved administratively by the Zoning Administrator and the Building Official.

C. Accessory Building-Mounted Solar Energy Systems. Systems are permitted on all buildings, as long as all components comply with required building setbacks and maximum height requirements for buildings.

D. Accessory Ground-Mounted Solar Energy Systems. 1. Glare and Reflection. The exterior surfaces of solar energy collectors shall be substantially non-reflective of light. A system shall not be installed or located in a manner that directs glare onto neighboring dwellings or adjacent streets.

2. Location. Systems shall be placed in rear yards unless existing vegetation and other site constraints make rear yard placement unfeasible. The Zoning Administrator shall refer side and front yard placement requests to the Planning

Commission in cases where there is a higher likelihood of visual impact to nearby residents. 3. Installation. Systems shall be installed, maintained, and used only in accordance with the manufacturer's directions.

4. Wires. All wires shall be buried underground. Overhead wires are prohibited.

5. Setbacks. Accessory ground-mounted solar energy systems shall be subject to the setbacks required for principal buildings. Measurement shall be taken from the outermost edge of all system components to the applicable property line.

6. Maximum Number. One (1) accessory ground-mounted solar energy system and its associated support structure are permitted per parcel.

7. Maximum Size. Systems shall be no larger than the square footage required to provide power to a residence and accessory buildings on a parcel but shall not exceed 1,500 square feet of collector panels. Proposed system power generation specifications shall be provided by the applicant for review.

8. Maximum Height. The maximum height of a system at its highest point, or at full tilt, shall be 16 feet. Height is measured from the natural grade below the system to the highest point of the panels or any part of the support structure, whichever is greater.

9. Abandonment and Removal. a. Systems that cease to produce energy continuously for 12 months will be considered abandoned by the Township unless the landowner provides a plan before the end of the 12-month period to reinstate the operation of the system. If the system remains non-functional after six (6) additional months, it shall be determined as abandoned.

b. The landowner shall remove the support structure, panels, and all equipment and restore the site to its condition prior to installation of the system within one (1) year of abandonment.

Section 4. Severability. The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

Section 5. Effective Date. This ordinance shall be effective seven (7) days after the publication of a summary of its provisions in a local newspaper of general circulation in the Township.

AYES: Greg Babik, Mark Roman, Kelly Redmond, Sandra Rickli, Tim Kloosterman, Sheri Manning, and Bill Van Tassel

NAYS: None

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ORDINANCE DECLARED ADOPTED.

Sandra Rickli

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Sandra Rickli

Almena Township Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Almena at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by