

Hamilton Township, County of Clare

SOLAR ENERGY SYSTEMS

A. Purpose

The purpose of this regulation is to enable construction and operation of Solar Energy Systems that convert solar energy into electricity and to promote their safe, effective and efficient use by providing reasonable standards and restrictions which will preserve public health, safety and welfare of the residents of Hamilton Township, County Of Clare.

B. Definitions

1. Detached Solar Energy System: Also known as a Ground Mounted Systems, a solar system that is not attached directly to a building, but is supported by a structure that is built on the ground.
2. Attached Solar Energy System: A solar system in which solar panels are mounted directly on a building, typically the roof
3. Solar Farm (Off-site Solar Energy Systems): The installation on an area of land in which a large number of solar panels are set up to generate electricity primarily for offsite use.
4. Solar Photovoltaic System (Solar Energy System): The total components and subsystems that, in combination, convert solar energy into electric energy suitable for connection to utilization load.
5. Photovoltaic: A method of generating electrical power by converting solar radiation (sunlight) into direct current electricity using semiconductors. C. Types of Solar Energy Systems:
 1. On-site Solar Energy Systems generally provide energy primarily for on-site uses. On- site systems may be comprised of the following:
 - a. Attached solar energy systems on any structure.
 - b. Ground-mounted solar energy systems
 2. Solar Farms (Off-site Solar Energy Systems) are those systems that provide energy for primarily off-site uses.

D. Regulations

1. General Regulations

- a. All solar energy systems must have proper building and electrical permits prior to installation.
- b. All solar energy systems must meet setback requirements of zoning district.
- c. The exterior surfaces of solar energy collectors shall be generally neutral in color and substantially non-reflective of light.
- d. Solar energy systems shall be permanently affixed to the ground or a structure.
- e. On-site power lines shall be buried except where necessary to connect to existing overhead transmission lines or where prohibited by natural features.

2. On-Site Solar Energy Systems .

- a. On-site solar energy systems shall be permitted as an accessory use in all zoning districts.
- b. Attached solar energy systems
 - i) Rooftop mounted systems shall not exceed the maximum building height allowance in the zoning district
 - ii) Wall mounted systems shall not extend above the height of the wall in which it is mounted.
 - iii) Solar energy collectors mounted on the roof of a building shall be only of such weight as can safely be supported by the roof. Proof thereof, in the form of certification by a professional engineer or other qualified person, shall be submitted to the Planning Commission prior to installation; such certification shall be subject to the Planning Commission's approval.
- c. Detached solar energy systems
 - i) Shall not be located in the front yard without a special use approval from the planning commission
 - ii) Shall not be taller than 10 feet
 - iii) Shall be included in the calculation of percent ground coverage for the property and shall not exceed the maximum unless granted otherwise within this ordinance or by special use.

3. Off-site Solar Energy Systems

- a. Off-site solar energy systems are permitted by special use approval in the RR and AG, and industrial districts.
- b. Ground cover shall be required after installation to prevent erosion of the land.
 - i) If ground cover is done using native plants which attract and promote pollination a 10% increase in land cover is permitted
- c. Off-site systems may cover 65% of the land including panels and equipment.
- d. Fencing is required to meet the National Electrical Code
- e. Security bond will be required in the amount of one hundred thousand dollars once approved by the planning commission and prior to any site preparation.

E. Removal: Removal of solar panels is required when solar panels are no longer producing power for more than 12 months. Below are the requirements for removal to be provided at the time of special use application.

1. Defined conditions upon which decommissioning will be initiated (i.e., end of land lease, no power production for twelve (12) months, etc.)
2. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and building foundations to a depth of five (5) feet below grade.
3. Restoration of property to the condition prior to development of the Solar Energy System.
4. The timeframe for completion of decommissioning activities.
5. Description of any agreement (e.g., lease) with the landowner regarding decommissioning.
6. Provisions for updating the decommissioning plan.
7. A statement signed by the owner or operator that they take full responsibility for reclaiming the site in accordance with the decommissioning plan and the Special Land Use Permit upon cessation of use.
8. A Hamilton Township and/or Clare County Building and Zoning inspector shall conduct a final inspection to confirm that the Solar Energy System has been decommissioned consistent with the provisions of the decommissioning plan.

9. A report from the inspector will be presented to the Planning Commission board for final approval of the compliance of the decommissioning plan.
10. Any property that is no longer producing power and has not gone through the decommissioning process will be considered in violation of the Hamilton Township Zoning Ordinance and the bond will be forfeited to Hamilton Township.