

**PROPOSED ORDINANCE TO AMEND  
THE WASHINGTON TOWNSHIP ZONING ORDINANCE  
ORDINANCE #**

**AN ORDINANCE TO AMEND THE WASHINGTON TOWNSHIP ZONING ORDINANCE**

**THE TOWNSHIP OF WASHINGTON ORDAINS:**

**ARTICLE 1.** Amend Section 2.2 to add the following definitions:

**Solar Energy System, Large** means a utility-scale solar energy conversion system consisting of many ground-mounted solar arrays in rows, and associated control or conversion electronics, occupying more than 5 acres of land, and that will be used to produce utility power to off-site customers.

**Solar Energy System, Medium** means a private on-site or utility-scale solar energy conversion system consisting of many ground-mounted solar arrays in rows or roof panels, and associated control or conversion electronics, occupying more than 400 square feet and no more than 5 acres of land, and that will be used to produce utility power to on-site uses and off-site customers.

**Solar Energy System, Small** means a single residential or small business-scale solar energy conversion system consisting of roof panels, ground-mounted solar arrays, or other solar energy fixtures, and associated control or conversion electronics, occupying no more than 400 square feet of land, and that will be used to produce utility power primarily to on-site users or customers.

**On-Site Energy Storage System** means a facility designed to store energy on a site, typically consisting of batteries.

**ARTICLE 2.** Add new Section 4.60 to read as follows:

**SECTION 4.60 SOLAR ENERGY SYSTEMS**

- A. Intent. The intent of this section is to permit and encourage the development of solar energy systems within Washington Township while ensuring that such systems do not become a nuisance to neighbors or the community.
- B. Roof-Mounted Solar Energy Systems. Roof-Mounted Solar Energy Systems of any capacity are permitted in all districts, subject to the following:
1. Panels may be mounted on the roof of any principal or accessory structure capable of supporting their weight.
  2. The presence of solar panels on a rooftop shall not increase the overall height of a structure with a flat roof by greater than ten feet, or the height of a structure with a pitched roof by greater than five feet, as measured from the highest point of the structure to the top of the panels.
  3. Solar panels shall not project beyond the edge of the roof.
  4. Site plans shall not be required for roof-mounted panels. Such systems shall be approved administratively, subject to building, mechanical, and electrical inspections.
- C. Ground-Mounted Solar Energy Systems. Ground-Mounted Solar Energy Systems are permitted as follows:

1. General Requirements. All ground-mounted solar energy systems shall be subject to the following requirements:
  - a. Solar collection panels shall meet the setback requirements of the district in which they are placed.
  - b. Solar collectors shall be placed such that concentrated solar radiation or solar glare will not be directed onto nearby properties or roadways. Traffic safety and adjacent properties shall be protected from unreasonable glare and radiation.
  - c. The area beneath ground-mounted solar panels shall not be a continuous impervious surface or slab, except where the panels are part of a parking lot canopy.

<b>Table 4.60.C Ground-Mounted Solar Installations</b>			
System Size	Footprint	Max. Height	Permitted <sup>1</sup>
Small	0 - 400 sq ft	18 ft	PPU all districts <sup>2</sup>
Medium <sup>3</sup>	401 sq ft - 5 acres	18 ft	SLU in A-1, IND, R-1
Large <sup>3</sup>	Over 5 acres	18 ft	SLU in A-1
Notes to Table			
1 PPU = principally permitted; SLU = special land use			
2 Not permitted on lots smaller than two acres or in platted subdivisions or site condominiums			
3 Only permitted on lots ten acres or greater in size			

- d. The height of ground-mounted solar panels shall not exceed 18 feet from grade to the highest point of the panel. If the panel is located on a berm, height shall be measured from the base of the berm.
- e. If more than 2,000 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 stormwater runoff will be managed and demonstrating that runoff from the site will not exceed the agricultural runoff rate or otherwise cause undue flooding. Any necessary permits from outside agencies for off-site discharge shall be provided.
- f. Care shall be taken to ensure that detergents used to clean the panels do not enter stormwater collection systems.
- g. If a ground-mounted solar energy system ceases to operate or is abandoned for a period of six months or is deemed by the Building Official to be unsafe or not consistent with code, the Applicant shall repair and restore the system to good working order within a reasonable time set by the Building Official or, if no longer operating or no longer in compliance with federal,

state or local codes, it shall remove the system in its entirety. This shall include removing posts, equipment, panels, foundations and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

h. The Applicant shall post a performance guarantee (cash, letter of credit or bond deemed suitable by the Township attorney) to cover the cost of removal of the equipment, structures and foundations related to the solar system in the event of abandonment or failure to comply with federal, state or local laws (after being given reasonable time to remedy the problem). The value of the performance guarantee shall be reviewed and increased commensurate with the published rate of inflation every three years.

i. Solar energy systems shall not be installed in a front or side yard.

2. Small Systems. Small ground-mounted solar energy systems may be installed and operated in all districts, provided the systems meet all general standards for ground-mounted solar energy systems and the following:

a. Small ground-mounted solar energy systems shall be approved administratively, subject to provision of a plot plan drawn to scale on a satellite image or professional survey of the property.

c. Small solar energy systems shall be accessory to a principal use on the site.

d. Excluding solar collection panels, solar energy system equipment may be installed within the required side and rear yard, but shall be a minimum of ten (10) feet from any property line.

3. Medium Systems. Medium ground-mounted solar energy systems may be installed and operated as a special land use in the A-1, IND, and R-1 districts, subject to the general requirements for ground-mounted solar energy systems and the following:

a. Medium ground-mounted solar energy systems shall be subject to Planning Commission approval. A site meeting the requirements of Section 6.1 shall be required.

b. Medium ground-mounted solar energy systems shall be located on a lot ten acres or greater in size.

c. Medium ground-mounted solar energy systems shall meet the setbacks of the district but in no case shall be set back less than 30 feet from any neighboring property zoned A-1, R-1, R1-A, R1-B, R1-C, R1-D, RM-1, RM-2, or MHC.

d. When a medium ground-mounted solar energy system is located adjacent to a property zoned A-1, R-1, R1-A, R1-B, R1-C, R1-D, RM-1, RM-2, or MHC, or a public right-of-way, a minimum 20-foot wide greenbelt shall be constructed so as to provide a buffer between the panels and the adjacent residential, agricultural or public property. The Planning Commission may waive or reduce the greenbelt requirement upon any of the following determinations:

(1) That the solar panels are located more than 100 feet from the adjacent A-1, R-1, R1-A, R1-B, R1-C, R1-D, RM-1, RM-2, or MHC property.

(2) The adjacent property is under cultivation and likely to remain so.

(3) The panels are less than eight feet in height.

(4) Existing fences or natural features to remain provide adequate year-round screening.

e. Greenbelts shall be indicated on the to-scale plan, including the total number of plant materials by species, and shall be maintained in a healthy, growing condition to provide a screen to abutting properties. Planting requirements shall meet the standards of Section 5.13.C.3 major 1 or 2.

- f. The ground beneath large solar energy systems shall be planted with native prairie species, cultivated, or used as pastureland.
4. Large Systems. Large ground-mounted solar energy systems may be installed and operated as a special land use in the A-1 district, subject to the general requirements for ground-mounted solar energy systems and the following:
- a. Large ground-mounted solar energy systems shall be subject to Planning Commission approval. A site meeting the requirements of Section 6.1 shall be required.
  - b. Large ground-mounted solar energy systems shall be located on a lot ten acres or greater in size.
  - c. Large ground-mounted solar energy systems shall meet the setbacks of the district but in no case shall be set back less than 50 feet from any neighboring property zoned A-1, R-1, R1-A, R1-B, R1-C, R1-D, RM-1, RM-2, or MHC.
  - d. When a large ground-mounted solar energy system is located adjacent to a property zoned A-1, R-1, R1-A, R1-B, R1-C, R1-D, RM-1, RM-2, or MHC, or a public right-of-way, a minimum 40-foot wide greenbelt shall be constructed so as to provide a buffer between the panels and the adjacent residential, agricultural or public property. The Planning Commission may waive or reduce the greenbelt requirement upon any of the following determinations:
    - (1) That the solar panels are located more than 100 feet from the adjacent A-1, R-1, R1-A, R1-B, R1-C, R1-D, RM-1, RM-2, or MHC property.
    - (2) The adjacent property is under cultivation and likely to remain so.
    - (3) The panels are less than six feet in height.
    - (4) Existing fences or natural features to remain provide adequate year-round screening.
  - e. Greenbelts shall be indicated on the site plan, including the total number of plant materials by species, and shall be maintained in a healthy, growing condition to provide a screen to abutting properties. Planting requirements shall meet the standards of Section 5.13.C.3 major 1 or 2.
  - f. The ground beneath large solar energy systems shall be planted with native prairie species, cultivated, or used as pastureland.
- D. On-Site Energy Storage and Other Equipment. On-site energy storage systems for medium and large systems shall meet the setbacks of the district, and, when possible, shall be located inside a building.

**ARTICLE 3. REPEAL, EFFECTIVE DATE**

1. All regulatory provisions contained in other Township Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed.
2. This ordinance shall become effective on \_\_\_\_\_, 2023, 7 days following publication of a Notice of Adoption.

**CERTIFICATION OF TOWNSHIP CLERK**

I, Stan Babinski, Washington Township Clerk, hereby certify that the foregoing is a true copy of an amendment to the Washington Township Zoning Ordinance adopted by the Township Board at a regular meeting held on \_\_\_\_\_, 2023 by the following vote:

Motion by \_\_\_\_\_, Supported by \_\_\_\_\_.

Ayes:

Nays:

Absent:

Motion: Carried

Stan Babinski

Washington Township Clerk

The Township Board ordered notice of adoption and summary to be published one time in \_\_\_\_\_ on \_\_\_\_\_, 2023. A true and complete copy of the above ordinance may be purchased or inspected at the offices of the Township Clerk, Mondays through Fridays, except holidays, during regular Township business hours.