

TOWNSHIP OF ACME
NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the ACME TOWNSHIP BOARD OF TRUSTEES at its regular meeting held on July 10, 2018 at the Acme Township Hall, 6042 Acme Rd, Williamsburg, MI 49690, adopted the following amendment to the Acme Township Zoning Ordinance:

Zoning Ordinance Amendment 046 – Solar Energy Farms

The adopted text amendment allows and regulates the use of solar energy farms through the following changes:

Adds the following definition to §3.2:

“Solar Energy Farms: A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices or any other various experimental solar technologies for the primary purpose of wholesale or retail sales of generated electricity off-site. Solar Energy Farms do not include small scale solar panels or technologies installed at individual residential or commercial locations (e.g. roof or ground mounted solar panels) that are used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electric grid. These installations are permitted as “Accessory Use” defined under Section 3.2.”

Adds Solar Energy Farms as Uses Authorized By Special Use Permit in the following Districts: A-1 Agricultural District, B-3 Planned Shopping Center District, and B-4 Material Processing and Warehousing District.

Adds §9.28 Solar Energy Farms with subsequent subsections outlining the Intent and Purpose, Standards, and Additional Special Use Criteria for the conditions necessary for approval.

This amendment will become effective on July 26, 2018

A copy of said amendment or the Acme Township Zoning Ordinance in its entirety (including the Zoning District Map) may be purchased or inspected at the Acme Township Hall Monday through Thursday, from 7:30 a.m. to 6:00 p.m. The ordinance is also available on the Acme Township website: www.acmetownship.org. Written comments regarding the amendment may be directed to:

Shawn Winter, Planning & Zoning Administrator
6042 Acme Road, Williamsburg, MI 49690, (231) 938-1350, swinter@acmetownship.org

Sent to Record-Eagle on July 12, 2018; Published July 13, 2018; Effective July 26, 2018.

CLERK’S CERTIFICATE

I, Cathy Dye, Township Clerk of Acme Township, Grand Traverse County, Michigan, hereby certify that at a regular meeting of the Acme Township Board held on July 10, 2018, the Board adopted this amendment to the Acme Township Zoning Ordinance, herein before recorded as Zoning Ordinance Amendment 046, to become effective July 26, 2018 and the members of the Board present at the meeting voted on the adoption of the Ordinance as follows:

Ayes: Aukerman, Dye, Jenema, Nelson, Scott, White, Zollinger

Nays:

Absent:

Cathy Dye, Clerk

Date

Jay B. Zollinger, Supervisor

Date



Planning and Zoning

6042 Acme Road | Williamsburg, MI | 49690

Phone: (231) 938-1350 Fax: (231) 938-1510 Web: www.acmetownship.org

Acme Township Zoning Ordinance Amendment 046

SOLAR ENERGY FARMS

Adopted 07.10.18

1. Add the following definition under §3.2 Definitions:

“Solar Energy Farms: A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices or any other various experimental solar technologies for the primary purpose of wholesale or retail sales of generated electricity off-site. Solar Energy Farms do not include small scale solar panels or technologies installed at individual residential or commercial locations (e.g. roof or ground mounted solar panels) that are used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electric grid. These installations are permitted as “Accessory Use” defined under Section 3.2.”

2. The use “solar energy farms” shall be added at the following sections:

Article VI: Zoning Districts, Map and Schedule of Regulations,
Section 6.10 B-3 District: Planned Shopping Center,
Subsection 6.10.3 Uses Authorized By Special Use Permit:
x. “Solar Energy Farms”

Article VI: Zoning Districts, Map and Schedule of Regulations,
Section 6.11 B-4 District: Material Processing and Warehousing,
Subsection 6.11.3 Uses Authorized By Special Use Permit:
h. “Solar Energy Farms”

Article VI: Zoning Districts, Map and Schedule of Regulations,
Section 6.12 A-1: Agricultural District,
Subsection 6.12.3 Uses Authorized By Special Use Permit:
aa. “Solar Energy Farms”

3. Article IX shall be amended to add Section 9.28 in its entirety as presented below:

9.28 SOLAR ENERGY FARMS

9.28.1 INTENT AND PURPOSE:

To allow and promote the use of solar energy within the Township as a clean alternative energy source and to provide associated placement, land development, installation and construction regulations for solar energy farm facilities subject to reasonable conditions that will protect the public health, safety and welfare. These regulations establish the minimum requirements for solar energy farm facilities, while promoting a renewable energy source in a safe, effective and efficient manner.

9.28.2 **STANDARDS:**

- a. **Minimum Lot Size:** There is no minimum lot size. Each solar energy farm is permitted as a use authorized by special use permit which review will consider its compatibility with the surrounding area.
- b. **Height Restrictions:** All photovoltaic solar panels and support structures located in a solar energy farm shall be restricted to a maximum height of sixteen (16) feet when orientated at maximum tilt.
- c. **Setbacks:** All photovoltaic solar panels and support structures associated with such facilities (excluding perimeter fencing) shall be set back a minimum of fifty (50) feet from all property lines. If the right-of-way exists as an easement, the fifty (50) foot setback shall be measured from the edge of the easement. Solar panels shall be kept at least two hundred (200) feet from an existing residential dwelling, measured to the nearest point on the residential structure. Any additional setback requirements in this Ordinance that exceed this requirement shall be adhered to, including but not limited to setbacks from streams, lakes, and wetlands.
- d. **Maximum Lot Coverage:** maximum lot coverage restrictions shall not apply to the photovoltaic solar panels. Any other regulated structures on the parcel are subject to the maximum lot coverage restrictions of the underlying zoning district.
- e. **Safety/Access:** A security fence (height and material to be proposed and reviewed/approved through the special use permit approval process) shall be placed around the perimeter of the solar energy farm and electrical equipment. Knox boxes and keys shall be provided at locked entrances for security personnel access.
- f. **Noise:** No solar energy farm shall exceed sixty (60) dBA as measured at the property line.
- g. **Glare:** Solar energy farm facilities shall be located or placed so that concentrated solar glare shall not be directed toward or onto nearby properties or right-of-ways at any time of the day.
- h. **Landscaping:** The special use permit application for a solar energy farm shall include a proposed landscape plan prepared by a licensed landscape architect. This plan will be reviewed through the special use permit approval process to assure that the proposed facility is appropriately landscaped in relation to adjacent land uses and road right-of-ways. A landscape plan shall meet following standards:
 - 1. **Plans:** A plan view illustrating the landscape plan for the entire project and a rendered view illustrating the view from public rights-of-ways.
 - 2. **Species:** A list of plant species meeting the standards of Section 7.5.6(d) included on the drawings or as a separate narrative.

3. **Buffer:** A twenty five (25) foot wide landscape buffer shall consist of two (2) rows of staggered evergreen trees that at planting shall be minimum of four (4) feet in height. If a solar energy farm is adjacent to a residential dwelling or district, then the minimum height shall be eight (8) feet at the time of planting. The evergreen trees shall be spaced no more than fifteen (15) feet apart on center, measured from the central trunk of one tree to the central trunk of the next tree. The buffer shall also consist of native grasses, wildflowers, or plants which will provide wildlife and pollinator habitat, soil erosion protection, and/or aid in strengthening the soil structure. The buffer shall be required under the following conditions:
 - i. Along the property line adjacent to all residential zoning districts
 - ii. If solar panels are located within two hundred (200) feet of a public road right-of-way.
 - iii. Along the property line for the portion of the project within a two hundred (200) foot radius of a residential dwelling in a non-residential zoning district
4. **Credit for Existing Conditions:** Existing topographical features and existing wooded areas may be accepted in lieu of or in combination with the above by approval of the Planning Commission.
5. **Planting Timeline:** The required trees shall be planted between April 1st and September 15th. If construction of the solar energy farm begins after August 15th, the required plantings shall be installed by May 1st the following calendar year.
6. **Financial Guarantee:** A bond, letter of credit, or cash surety shall be provided in the amount equal to one and one-half (1.5) times the cost of the required plantings that the Township shall hold until the next planting season.
7. **Maintenance:** The required plantings shall be continuously maintained in a healthy condition. Dead evergreen foliage shall be replaced.
 - i. **Local, State, and Federal Permits:** Solar energy farms shall be required to obtain all necessary permits and licensing from Acme Township, Grand Traverse County, State of Michigan, and U.S. Government as applicable prior to construction and shall maintain any necessary approvals as required by the respective jurisdictions or agencies.
 - j. **Electrical Interconnections:** All electrical interconnections or distribution lines shall comply with all applicable codes and standard commercial large-scale utility requirements. Use of above ground transmission lines shall be prohibited within the site.

9.28.3 ADDITIONAL SPECIAL USE CRITERIA:

In addition to the site plan review criteria in Article VIII and special use permit criteria in Article IX, the applicant shall address the following topics in the application for a solar energy farm facility:

- a. **Project Description and Rationale:** Identify the type, size, rated power output, performance, safety and noise characteristics of the system including the transmission line/grid connection for the project. Identify the project construction time frame, project life, development phases (and potential future expansions) and likely markets for the generated energy.
- b. **Analysis of On-Site Traffic:** Estimated construction jobs and estimated permanent jobs associated with the development.
- c. **Visual Impacts:** Graphically demonstrate the visual impact of the project using photos or renditions of the project with consideration given to setbacks and proposed landscaping.
- d. **Environmental Analysis:** Identify impacts on surface and ground water quality and any impacts to established natural or constructed drainage features in the area.
- e. **Waste:** Identify any solid or hazardous waste generated by the project.
- f. **Lighting:** Provide photometric plans showing all lighting within the facility. No light may adversely affect adjacent parcels. All lighting shall conform to the requirements of Section 7.8 and must be shielded from adjoining parcels. Light poles are restricted to a maximum height of eighteen (18) feet.
- g. **Transportation Plan:** Provide a proposed access plan during construction and operational phases. Show proposed project service road ingress and egress locations onto adjacent roadways and the layout of facility service road system. Due to infrequent access following construction, it is not required to pave or curb solar energy farm access drives. It shall be required to pave and curb any driveways and parking lots used for occupied offices that are located on site.
- h. **Public Safety:** Identify emergency and normal shutdown procedures. Identify potential hazards to adjacent properties, public right-of-ways and to the general public that may be created.
- i. **Sound Limitations:** Identify noise levels at the property lines of the project when completed and operational.
- j. **Telecommunications Interference:** Identify any electromagnetic fields and communications interference that may be generated.
- k. **Life of the Project and Final Reclamation:** Describe the decommissioning and final reclamation plan after the anticipated useful life or abandonment/termination of the project. This includes supplying evidence of an agreement with the underlying property owner that ensures proper removal of all equipment and restoration of the site within six (6) months of decommissioning or abandonment of the project. To ensure proper removal of

the project upon abandonment/termination, a bond, letter of credit or cash surety shall be:

1. In an amount approved by the Township Board to be no less than the estimated cost of removal and may include a provision for inflationary cost adjustments;
2. Based on an estimate prepared by the engineer for the applicant, subject to approval of the Township Board;
3. Provided to the Township prior to the issuance of a land use permit;
4. Used in the event the owner of the project or the underlying property owner fails to remove or repair any defective, abandoned or terminated project. The Township, in addition to any other remedy under this Ordinance, may pursue legal action to abate the violation by seeking to remove the project and recover any and all costs, including attorney fees.

DRAFT

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000
Fax (231)946-8273

ORDER CONFIRMATION

Salesperson: DENISE LINGERFELT Printed at 07/12/18 10:50 by dling

Acct #: 6 Ad #: 497628 Status: New WHOLD
ACME TOWNSHIP Start: 07/13/2018 Stop: 07/13/2018
CATHY DYE, CLERK Times Ord: 1 Times Run: ***
6042 ACME ROAD STDAD 3.00 X 5.19 Words: 326
WILLIAMSBURG MI 49690 Total STDAD 15.57
Class: 147 LEGALS
Rate: LEGAL Cost: 132.50
Affidavits: 1
Contact: Ad Descrpt: LEGAL NOTICE TOWNSHIP OF
Phone: (231)938-1350 Given by: EMAIL SHAWN WINTER
Fax#: (231)938-1510 P.O. #:
Email: szollinger@acmetownship.org Created: dling 07/12/18 10:46
Agency: Last Changed: dling 07/12/18 10:50

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Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

No refunds or rebates will be issued if you cancel your ad prior to the stop date.

We appreciate your business.

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Fax (231)946-8273

ORDER CONFIRMATION (CONTINUED)

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Printed at 07/12/18 10:50 by dling

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**LEGAL NOTICE
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Shawn Winter, Planning & Zoning Administrator
6042 Acme Road, Williamsburg, MI 49690, (231) 938-1350,
swinter@acmetownship.org

July 13, 2018-1T

497628

T. C. RECORD-EAGLE, INC.
120 WEST FRONT STREET
TRAVERSE CITY MI 49684
(231)946-2000

ORDER CONFIRMATION

Salesperson: DENISE LINGERFELT Printed at 12/12/17 14:35 by dling

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CATHY DYE, CLERK Times Ord: 1 Times Run: ***
6042 ACME ROAD STDAD 3.00 X 5.74 Words: 388
WILLIAMSBURG MI 49690 Total STDAD 17.22
Class: 147 LEGALS
Rate: LEGAL Cost: 138.00
Affidavits: 1

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Phone: (231)938-1350 Given by: EMAIL SHAWN WINTER
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ORDER CONFIRMATION (CONTINUED)

Salesperson: DENISE LINGERFELT

Printed at 12/12/17 14:35 by dling

Acct #: 6

Ad #: 482101

Status: N

**LEGAL NOTICE
TOWNSHIP OF ACME
NOTICE OF HEARING**

PLEASE TAKE NOTICE that the ACME TOWNSHIP PLANNING COMMISSION will hold a public hearing at its regular meeting on Monday, January 8, 2018 at 7:00 p.m. at the Acme Township Hall, 6042 Acme Road, Williamsburg MI 49690, to consider the following amendments to the Acme Township Zoning Ordinance.

Zoning Ordinance Amendment 046 - Solar Energy Farms

The proposed text amendment would allow and regulate the use of solar energy farms through the following changes:

Add the following definition to §3.2:

“Solar Energy Farms: A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices or any other various experimental solar technologies for the primary purpose of wholesale or retail sales of generated electricity off-site. Solar Energy Farms do not include small scale solar panels or technologies installed at individual residential or commercial locations (e.g. roof or ground mounted solar panels) that are used exclusively for private purposes and not utilized for any commercial resale of any energy, except for the sale of surplus electrical energy back to the electric grid. These installations are permitted as “Accessory Use” defined under Section 3.2.”

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Add §9.28 Solar Energy Farms with subsequent subsections outlining the Intent and Purpose, Standards, and Additional Special Use Criteria for the conditions necessary for approval.

Copies of the entire proposed Amendment 046 are available for inspection at the Acme Township hall. All interested persons are invited to attend and be heard at public hearings before the Planning Commission. After each public hearing, the Planning Commission may or may not deliberate and take action. The entire Zoning Ordinance is available for inspection at the Acme Township Hall from 7:30 a.m. to 6:00 p.m. Monday through Thursday. Proposed Zoning Ordinance Amendments and the entire Zoning Ordinance are also available for inspection via the Township's website, www.acmetownship.org.

If you are planning to attend and require any special assistance, please notify Cathy Dye, Township Clerk, within 24 hours of the meeting at 938-1350.

Written comments may be directed to:

Shawn Winter, Planning & Zoning Administrator
6042 Acme Road, Williamsburg, MI 49690, (231) 938-1350,
swinter@acmetownship.org

December 20, 2017-1T

482101