
SUMPTER TOWNSHIP

TEXT AMENDMENT TO THE TOWNSHIP ORDINANCE

The Sumpter Township Board of Trustees approved the following text amendment to the Township ordinance language changes made to the ordinance Section 2.2, Definitions and Section 6.58, Large Solar Energy Systems, allowing trackers to be used on personal solar systems, editing 6.58 (A)(1) changing Large scale.

SUMPTER TOWNSHIP SOLAR ENERGY SYSTEMS ORDINANCE

Section 2.2: Definitions

Decommission: To remove or retire from active service.

Utility-Scale Solar Energy Systems: An installation of more than one (1) ground-mounted, utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by Photovoltaic Devices or other conversion technology, for the utility-scale, commercial sale, delivery or consumption of the generated energy Utility-Scale Solar Energy Systems are not permitted within any zoning districts allowing residential uses.

Solar Energy Systems, Personal: Small-scale solar panels or technologies permitted as accessory structures within all zoning districts. Personal Solar Energy Systems are comprised of a single unit which is installed and used for private purposes. These solar structures may be either ground-mounted, or building-mounted.

Solar Farm: See Utility Scale Solar Energy Systems.

Solar Tracker: A device which maximizes the solar system's electricity production through panels that move to follow the sun throughout the day.

Substation: Part of a Utility-Scale Solar Energy System, it is an interconnected network of electrical components comprising of transformers, auxiliaries, switchgear, and other mechanical equipment. The substation regulates incoming electrical energy generated while delivering electricity to consumers through outgoing transmission lines.

Section 6.58 Solar Energy Systems (Replaces existing ordinance)

A. Purpose: The purpose of this section is to provide regulation for the following permitted types of Solar Energy Systems.

1. *Personal-Scale Solar Energy Systems (Ground-Mounted and Building-Mounted):* Permitted within all zoning districts in the Township of Sumpter as an accessory use under the conditions that they are located within a rear or side yard (ground mounted), comply with all applicable setback requirements, and are intended to be used for private energy generation rather than utility-scale commercial distribution of energy to the grid. Residual energy sent back to the grid from a personal-scale solar energy system will not be classified as commercial distribution.
2. *Utility-Scale Solar Energy Systems (Ground-Mounted):* Permitted as a special land use within the LI, Light Industrial and GI, General Industrial Zoning Districts. No utility-scale solar energy system shall be permitted in any zoning district designated for residential uses.

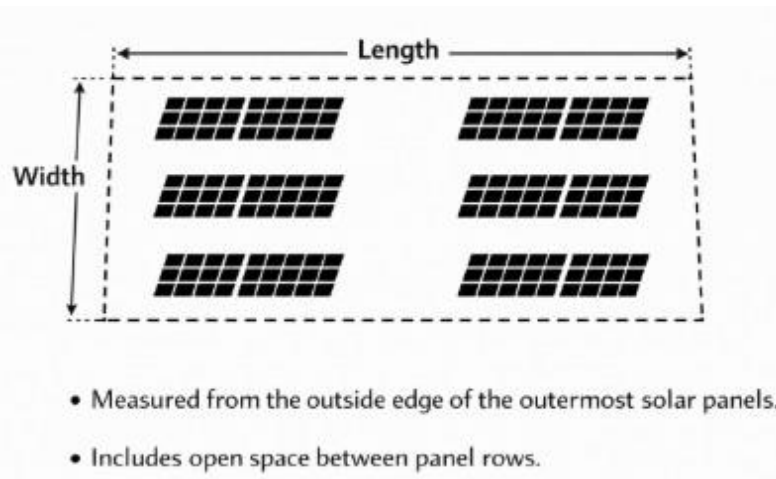
B. General Standards for All Solar Energy Systems:

1. All Solar Energy Systems must be compliant with all Township Ordinances and other applicable regulations.
2. All Solar Energy Systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the Township Building Official prior to installation. The Building Official may inspect the completed installation to verify compliance with the manufacturer's directions.
3. All Solar Energy Systems whether ground-mounted or building-mounted, shall be permanently and safely attached to whatever surface it is mounted to.
4. No building-mounted Solar Energy System shall exceed the dimensional height permitted in the zoning district in which it is located. No ground-mounted Solar Energy System shall exceed the height of the principal structure or fourteen (14) feet in height, whichever is less. Height is to be measured from the average grade at the base of the pole to the highest edge of the system. The Planning Commission may increase the maximum height requirements at their discretion dependent upon location and other factors.
5. All Solar Energy Systems are to be neutral in color to minimize reflectance onto surrounding properties and streets.

6. The following items shall apply to all Solar Energy Systems; however, additional flexibility or stricter regulations may be placed upon the solar energy system dependent upon the site's location within the Township and the land uses of adjacent parcels per the discretion of the Planning Commission.
 - a. Electrical fencing is not permitted, unless also housing livestock or similar animals.
 - b. Personal-Scale Solar Energy Systems are to be screened so that any mechanical equipment used as part of the solar energy system may not be seen from other residentially zoned properties.
 - c. The perimeter of all sites containing Utility-Scale Solar Energy Systems shall be screened and buffered per the direction of the Planning Commission.

C. Standards for Personal-Scale Solar Energy Systems

1. Ground mounted personal-scale solar energy systems shall count towards the gross floor area total for detached accessory buildings as specified in section 5.3(a)(4). The measurement of gross floor area for ground mounted systems shall be the ground area occupied by a solar array, calculated using the length and width measured from the outside edge of the outermost solar panels. For arrays with multiple rows, this area includes the intervening open space between panel rows and any gaps within the array footprint, as shown in the illustration below:



2. Ground mounted Personal-Scale Solar Energy Systems are subject to the following area requirements:

Parcel Size	Maximum Combined Gross Floor Area
0.5 acres or less	1,200 sq. ft.
0.51 acres to 1 acre	1,800 sq. ft.
1.01 acres to 3 acres	2,400 sq. ft.
3.01 acres to 5 acres	3,000 sq. ft.
5.01 acres to 7 acres	3,800 sq. ft.
7.1 acres or larger	6,000 sq. ft.

D. Additional Standards for Utility-Scale Solar Energy Systems: Utility-scale Solar Energy Systems where the primary use of the land is to generate electric energy or other energy by converting sunlight for the sale, delivery or consumption of the generated energy shall require site plan review, the receipt of a Special Land Use Permit, and fulfill the following standards supplemental to those established in section 6.58.

1. A Utility-Scale Solar Energy System may be located on one or more parcels with an aggregate area of at least twenty (20) contiguous acres or greater.
2. Setbacks: A minimum setback distance of one hundred (100) feet from all exterior property lines of the Utility-Scale Solar Energy System and existing public roads and railroad rights-of-way shall be required for all buildings and Solar Arrays, provided that a setback of two hundred and fifty (250) feet shall be required adjacent to any residential structure.
3. Design and operation of all Utility-Scale Solar Energy Systems must be compliant with all applicable provisions of local, state, and federal laws and regulations.
4. All Utility-Scale Solar Energy Systems shall be subject to the section 7.6 which delineates glare and exterior lighting standards. Lighting on sites housing a Utility-Scale Solar Energy System shall be located, designed, and maintained to prevent the reflection and glare of light that would otherwise create a nuisance or safety hazard to operators of motor vehicles, pedestrians and neighboring land uses, and to promote “dark skies” in keeping with the rural character of Sumpter Township.
5. The Township shall have the right at any reasonable time, to provide same-day notice to the applicant to inspect the premises on which any Utility-Scale Solar Energy System is located.
6. Noise: No component of any Utility-Scale Solar Energy System shall emit noise exceeding sixty-five (65) dBA as measured at the exterior property boundary or the existing ROW line.

7. The owner or operator of a Utility-Scale Solar Energy System shall maintain a current insurance policy with a bond rating acceptable to the Township to cover installation and operation. The amount of the policy shall be established as a condition of Special Land Use approval.
8. Screening/Security: A Utility-Scale Solar Energy System shall be completely enclosed by perimeter security fencing to restrict unauthorized access. Such fencing shall be six (6) feet in height with a one (1) foot extension arm consisting of a minimum of three strands of barbed-wire placed above the fencing and slanting outward as measured from the natural grade of the fencing perimeter. Electric fencing is not permitted. The perimeter of Utility-Scale Solar Energy Systems shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Utility-Scale Solar Energy System from adjacent residential structures, subject to the following requirements:
 - a. The evergreen or native vegetative buffer shall be composed of native or evergreen trees that at planting shall be a minimum of four (4) feet in height and shrubs two (2) feet in height. The evergreen trees shall be spaced no more than fifteen (15) feet apart on center (from the central trunk of one plant to the central trunk of the next plant), native trees shall be placed no more than thirty (30) feet apart on center and shrubs shall be spaced no more than seven (7) feet apart on center. All unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the Applicant within one (1) year, or the next appropriate planting period, whichever occurs first.
 - b. All plant materials shall be installed between March 15 and November 15. If the Applicant requests a Final Certificate of Occupancy from the Township and the Applicant is unable to plant during the installation period, the Applicant will provide the Township with a letter of credit, surety or corporate guarantee for an amount equal to one and one-half (1.5) times the cost of any planting deficiencies that the Township shall hold until the next planting season. After all plantings have occurred, the Township shall return the financial guarantee.
 - c. Failure to install or continuously maintain the required vegetative buffer shall constitute a violation of this Ordinance and any Special Use Permit may be subject to revocation.
9. Abandonment and Decommissioning:
 - a. Abandonment: Any Utility-scale Solar Energy System that ceases to produce energy on a continuous basis for twelve (12) months will be considered abandoned. It is the duty of the responsible party or parties to remove all equipment and facilities and completely restore the parcel to its original condition prior to the installation of the solar facility.

- i. Upon determination of abandonment, the Zoning Administrator shall notify the party or parties responsible that they must remove the Utility-Scale Solar Energy System and restore the site to its condition prior to the development of the facility within six (6) months of notice by the Planning Commission or its designee. If the responsible party or parties fail to comply, the landowner is then responsible for removal of the facility.
 - ii. If the facility is not removed and the land restored to its prior condition within the six (6) month time period, the Township or its designee may remove the solar facility, sell any removed materials, and initiate judicial proceedings or take any other steps legally authorized against the responsible parties to recover costs required to remove the solar facility and restore the site to a non-hazardous pre-development condition.
 - b. Decommissioning: Following the operational life of the project, the applicant shall perform decommissioning and removal of the Utility-Scale Solar Energy System in its entirety. Prior to the issuance of the necessary permit, a decommissioning plan containing the following items must be submitted.
 - i. Anticipated project life;
 - ii. Estimated costs of decommissioning in current dollars, provided to the Township in the form of a surety bond, irrevocable letter of credit, or similar form acceptable to the Township;
 - iii. Method(s) of ensuring funds are to be available for the decommissioning of the project including but not limited to activities for the removal of structures, roads, fencing, foundations, etc.
 - iv. Anticipated manner in which the project will be decommissioned, and the site restored.
 - v. The timeframe for the system to be completely decommissioned shall not exceed eighteen (18) months from the issuance of the decommissioning permit.
- E. Application Procedures and Approvals: Special Land Use and Site Plan approvals or permits under this Section shall be valid for two (2) years, and if requested by the applicant prior to that expiration date, shall automatically be extended for an additional one (1) year period.
 - 1. Approval Required: Except where noted in this Section, it shall be unlawful to construct, erect, install, or alter any Utility-Scale Solar Energy System within Sumpter Township unless a Special Land Use Permit has been obtained pursuant to this Ordinance.

- a. Application for a Special Land Use Permit required by this Section shall be made on forms provided by Sumpter Township and shall be subject to the requirements of Section 3.3., Special Land Use. Each application shall be accompanied by the required fees and information as requested in this Ordinance.
2. Site Plan Drawing and Supporting Materials. All applications for Utility-Scale Solar Energy Systems must be accompanied by detailed site plans drawn to scale and dimensioned and certified by a registered engineer licensed in the State of Michigan. Site plans shall display the following information:
 - a. All requirements for a site plan contained in Section 3.4 of the Sumpter Township Zoning Ordinance;
 - b. Physical features and land uses of the project area, both before and after construction of the proposed project;
 - c. Locations of all above and below ground drainage systems, including but not limited to farm tiles, County drains, wetlands, and road ditches.
 - d. Proposed setbacks from the Solar Array(s) to all existing and proposed structures within the Utility-Scale Solar Energy System;
 - e. Plan(s) showing the location of the proposed Utility-Scale Solar Energy System, underground and overhead wiring (including the depth of underground wiring), new drainage facilities (if any), access drives (including width), substations and accessory structures on-site and within 100 feet of all exterior property lines;
 - f. Land elevations for the Solar Array(s) to all existing and proposed structures within the Utility-Scale Solar Energy System at a minimum of five (5) foot contours;
 - g. Access driveways within and to the Utility-Scale Solar Energy System accompanied with a detailed narrative regarding dimensions, composition, and maintenance of each proposed driveway. All access drives shall be subject to Wayne County Road Commission approval and shall be planned to minimize the use of lands for that purpose;
 - h. Anticipated construction schedule;
 - i. Description of operations, including anticipated regular and unscheduled maintenance, types of maintenance to be performed, and decommissioning and removal procedures;

- j. A complete description of proposed technologies, including type of solar panel and system, fixed mounted versus tracking, number of panels and angles of orientation;
 - k. Proof of all necessary agreements and approvals by all applicable agencies including the Wayne County Road Commission and Wayne County Drain Commission;
 - l. Additional detail(s) and information as required by the Special Land Use requirements of the Sumpter Township Zoning Ordinance;
 - m. Additional information as required by the Planning Commission including, but not limited to planned security measures, screening, lighting, description of routes to be used by construction and delivery vehicles, etc.
3. Conditions and Modifications: Any conditions and/or changes recommended by the Planning Commission and approved by the Township Board shall be recorded in the Township Board's meeting minutes. The Planning Commission and Township Board may, in addition to other reasonable conditions, require additional environmental study, walls, fences, and other improvements that are reasonable in relation to and consistent with the nature of the applicable or adjacent zoning districts.

After approval by the Township Board, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Chairman of the Planning Commission and authorized representative of the applicant. One (1) copy shall be kept on file by the Township Clerk, and one (1) copy shall be returned to the applicant's authorized representative.

4. Escrow: A Financial security in the manner of an escrow account funded at \$25,000, with a statement that those funds are to be used pursuant to this ordinance, shall be set up when the applicant applies for a Special Land Use Permit for a Utility-Scale Solar Energy System. These funds are used to cover all reasonable costs and expenses associated with the Special Land Use Permit and site plan review and approval process, which costs can include, but are not limited to, fees of the Township Attorney, Township Planner, and Township Engineer, as well as any reports or studies which the Township anticipates it may have done related to the zoning review process for the particular application. The applicant must replenish the escrow account if it has less than \$5,000.00 in it in the amount of estimated outstanding costs. Failure to replenish the escrow account within fourteen (14) days of notice will result in the Township suspending the processing or finalizing of the application. Any escrow amounts which are in excess of actual costs shall be returned to the applicant.

5. Complaints, Administration and Enforcement: Any complaints by a resident or property owner in the Township regarding any violations of this Ordinance shall be filed with the Township Zoning Administrator or his/her designee. Any and all violations of this Ordinance are subject to the penalties set forth in Section 3.9.

Published May 7th, 2026

Don LaPorte

Township Clerk

Sumpter Township