

LESLIE TOWNSHIP
ZONING ORDINANCE AMENDMENT - SOLAR
ORDINANCE NO. 24.01-2

At a regular meeting of the Township Board of Leslie Township, Ingham County, Michigan, held at the Leslie Township Hall on January 10, 2024 at 6:00 p.m., Township Board Member Feazel moved to adopt the following ordinance, which motion was seconded by Township Board Member Wade.

An amendment to the Leslie Township Zoning Ordinance to revise definitions related to solar energy and establish revised standards for Commercial Solar Energy Systems, to provide for the safe and responsible development of such uses while preserving the agricultural character of the Leslie Township, and to protect the public health, safety, and welfare of residents of and visitors to Leslie Township.

LESLIE TOWNSHIP, INGHAM COUNTY, ORDAINS:

SECTION 1. Amendment of Article IX: “DEFINITIONS”

Section 9.2, Definitions, of the Zoning Ordinance is hereby amended to add the following solar energy definitions which shall read as follows:

Farmland Preservation Program: The Michigan Farmland Preservation Program, Part 361 of the Natural Resources and Environmental Protection Act, PA 451 of 1994, also commonly referred to as PA 116.

Solar Energy: The following definitions shall apply in the application of this Ordinance.

1. **Abandoned Solar Energy System:** Any solar energy system or facility that is no longer producing power.
2. **Battery Energy Storage Systems:** One or more devices, assembled, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.
3. **Building Integrated Photovoltaics (BIPVs):** A private or utility solar energy system that is integrated into the structure of a building, such as solar roof tiles or solar shingles.
4. **Decommission:** To remove or retire a solar energy system or facility from active service.
5. **Ground-Mounted Solar Energy System:** A private or utility solar energy system that is not attached to or mounted on any roof or exterior wall of any principal or accessory building.
6. **Height:** The height of a solar energy system, measured vertically from the adjacent grade to its highest point at maximum tilt.
7. **Inhabited Structure:** Any existing structure usable for living or commercial purposes, including, but not limited to working, sleeping, eating, cooking, recreation, office, office storage, or any combination thereof. An area used only for storage

incidental to a residential use, including agricultural barns, is not included in this definition. If it is not clear by this definition, the Zoning Administrator shall make a determination whether a structure is inhabited.

8. **Non-Participating Property:** A property that is not subject to a Solar Energy System lease or easement agreement at the time an application is submitted for a Special Land Use for the purposes of constructing a Solar Energy System.
9. **Participating Property:** A property that participates in a lease or easement agreement, or other contractual agreement, with or that is owned by an entity submitting a Special Land Use Permit application for the purpose of developing a Solar Energy System.
10. **Photovoltaic Array (PV Array):** A device designed to collect and transform solar energy into electricity.
11. **Repowering:** Replacing or upgrading a Solar Energy System to increase power rating of panels and/or Solar Energy System accessory structures within the approved project footprint. This does not apply in the case of regular maintenance.
12. **Roof or Building-Mounted Solar Energy System:** A Private or Commercial Solar Energy system that is attached to or mounted on any roof or exterior wall of any principal or accessory building but excluding BIPVs.
13. **Solar Energy System:** A device or series of devices designed to collect and transform solar energy into electricity, including but not limited to PV arrays, racks, inverters, transformers, wiring, batteries, and electrical system components.
14. **Solar Energy System, Commercial:** A Solar Energy System where the principal design, purpose, or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.
15. **Solar Energy System, Private:** A Solar Energy System used exclusively to generate electric energy for personal consumption by a single end user at the same property upon which the Solar Energy System is located and not used for commercial resale of energy, except for the sale of surplus electrical energy back to the electrical grid.

SECTION 2. Amendment of Article IX: "DEFINITIONS"

Section 9.2, Definitions, of the Zoning Ordinance is hereby amended to remove the following definitions: "Abandoned Solar Energy System," "Solar Array," "Solar Energy System, Large," and "Solar Energy System, Small."

SECTION 3. Amendment of Article X: "A-1 DISTRICT: AGRICULTURAL"

Section 5.2.2, Uses Permitted by Right, of the Zoning Ordinance is hereby amended to read as follows:

5.2.2 USES PERMITTED BY RIGHT:

- 1) One and two family dwellings.

- 2) General and specialized farming activities including field crop and fruit farming, truck gardening, horticulture, greenhouses, tree nurseries, apiaries and similar agricultural enterprises along with accessory uses incidental to the above.
- 3) Public and private conservation areas, structures for the conservation of water, soils, open space, forest and wildlife resources, forest preserves, game refuges, and similar public recreation uses of low intensity nature.
- 4) Customary home occupations as specified in Section 6.11.
- 5) Roadside stands selling products grown on the premises upon which the stand is located, PROVIDED that contiguous space for the parking of customer's vehicles is furnished off the public right of-way at the ratio of one (1) parking space for each fifteen (15) square feet of roadside stand floor area and PROVIDED FURTHER that all of the requirements for accessory buildings contained in Article VI, Section 6.2.2 shall be met.
- 6) Railroad right-of-way including main trackage, switches and other operating devices but excluding storage, marshalling yards, freight yards or sidings.
- 7) Customary accessory uses and buildings incidental to the permitted principal use of a premise as stipulated in Article VI, Section 6.2.2.
- 8) Other uses permitted by right in the R-1 District Section 5.3.2, Subsections 1-9, subject to the restrictions specified therefore.
- 9) Private Kennels and Commercial Kennels
- 10) Private Stables and Commercial Stables
- 11) Raising of Fur-bearing Animals
- 12) Rural Cluster Development, as provided in Article V, Section 5.2.5.
- 13) Event Barns.
- 14) Private Solar Energy Systems, as provided in in Article VI, Section 6.15.
- 15) Single WECS for On-Site Service Only, as provided for in Article VI, Section 6.16.

SECTION 4. Amendment of Article X: "A-1 DISTRICT: AGRICULTURAL"

Section 5.2.3, Uses Permitted by Special Use Permit, of the Zoning Ordinance is hereby amended to read as follows:

5.2.3 USES PERMITTED BY SPECIAL USE PERMIT: The following uses of land and structures may be permitted in any agricultural district by the application for and the issuance of a special use permit when all the procedural requirements specified in Article VII, Section 7.1 are satisfied, together with any requirements specified in the applicable section of Article VII.

- 1) Public recreation and playgrounds, as provided in Article VII, Section 7.19.
- 2) Greenhouses and nurseries selling at retail on the premises, as provided in Article VII, Section 7.20.
- 3) Livestock auction yards, as provided in Article VII, Section 7.20.
- 4) Raising of wild animals as provided in Article VI, Section 6.14.

- 5) Veterinary hospitals and clinics, as provided in Article VII, Section 7.20 and 7.20.4.
- 6) Seasonal labor housing complexes associated with agricultural enterprises, as provided in Article VII, Section 7.20.
- 7) Private noncommercial recreation areas, private nonprofit swimming pool clubs, community recreation centers, or other noncommercial recreation activities, as provided in Article VII, Section 7.8.
- 8) Golf courses and country clubs, other than golf driving ranges and miniature golf courses as provided in Article VII, Section 7.19.
- 9) Institutions for human care, religious institutions, educational and social institutions, as provided in Article VII, Section 7.2.
- 10) Public buildings and public service installations, as provided in Article VII, Section 7.2.
- 11) Sand or gravel pits, quarries, incinerators, sanitary fills, junk yards, public or semi-private sewage treatment and disposal installations, as provided in Article VII, Section 7.17.
- 12) Special open space uses, public beaches, bath houses, private resorts, recreational camps and other open space uses operated for profit, as provided in Article VII, Section 7.19.
- 13) Commercial freestanding towers, as provided in Article VII, Section 7.20.
- 14) Travel trailer parks, as provided in Article VII, Section 7.11.
- 15) Commercial Solar Energy Systems, as provided in Article VII, Section 7.20.
- 16) Battery Energy Storage Systems as an accessory use to a Commercial Solar Energy System, as provided in Article VII, Section 7.20.
- 17) Wind Parks, as provided in Article VII, Section 7.21.

SECTION 5. Amendment of Article X: "PRO-AG DISTRICT: PRO-AGRICULTURAL"

Section 5.2A.2, Uses Permitted by Right, of the Zoning Ordinance is hereby amended to read as follows:

5.2A.2 USES PERMITTED BY RIGHT:

- 1) One family dwellings.
- 2) General and specialized farming activities including field crop and fruit farming, truck gardening, horticulture, greenhouses, tree nurseries, apiaries, raising of livestock and similar agricultural enterprises along with accessory uses incidental to the above.
- 3) Public and private conservation areas, structures for the conservation of water, soils, wetland, open space, forest and wildlife resources, forest preserves, game refuges, and similar public recreation uses of low intensity nature.
- 4) Customary home occupations as specified in Section 6.11.
- 5) Roadside stands selling products grown on the premises upon which the stand is located, PROVIDED that contiguous space for the parking of customer's vehicles is furnished off the public right of-way at the ratio of one (1) parking space for each fifteen (15) square feet of

roadside stand floor area and PROVIDED FURTHER that all of the requirements for accessory buildings contained in Article VI, Section 6.2.2 shall be met.

- 6) Railroad right-of-way including main trackage, switches and other operating devices but excluding storage, marshalling yards, freight yards or sidings.
- 7) Customary accessory uses and buildings incidental to the permitted principal use of a premise as stipulated in Article VI, Section 6.2.2.
- 8) Other uses permitted by right in the R-1 District Section 5.3.2, Subsections 1-9, subject to the restrictions specified therefore.
- 9) Private Kennels and Commercial Kennels.
- 10) Private Stables and Commercial Stables.
- 11) Raising of Fur-bearing Animals.
- 12) Private Solar Energy Systems, as provided in Article VI, Section 6.15.
- 13) Single WECS for On-Site Service Only, as provided for in Article VI, Section 6.16.

SECTION 6. Amendment of Article X: "R1 DISTRICTS: LOW DENSITY RESIDENTIAL"

Section 5.3.2, Uses Permitted by Right, of the Zoning Ordinance is hereby amended to read as follows:

5.3.2 USES PERMITTED BY RIGHT:

- 1) One and two family dwellings.
- 2) Customary Accessory Uses and Buildings. PROVIDED such uses and buildings are incidental to the principal use and do not include any activity conducted as a business. Any accessory building or use shall be located on the same lot with the principal building. Accessory uses shall include the following:
 - a) Living quarters as part of an accessory garage for domestic employees of the resident of the principal building.
 - b) Additional supplementary uses, including accessory buildings, as stipulated in Article VI, Section 6.2.2.
- 3) Public Recreation.
- 4) Name Plates and Signs: As provided in Article VI, Section 6.2.3.
- 5) Temporary Buildings: For uses incidental to construction work; such buildings shall be removed upon the completion or abandonment of the construction work or within the period of one (1) year, whichever is the lesser time period.
- 6) Railroad Right-of-Way: Including all necessary trackage, switches, and operating devices, but excluding storage, marshalling yards, freight yards, or sidings.
- 7) Cemeteries: Public or private provided that:
 - a) The site shall be no less than twenty (20) acres and shall be so designed as to provide all ingress and egress directly onto or from a public road.

- b) The location of proposed service roads, entrances and driveways shall be so designed in relationship to the major highway the pedestrian and vehicular traffic safety is protected.
 - c) No principal or accessory building shall be closer than fifty (50) feet from any abutting residentially zoned property line.
- 8) Private Swimming Pools: PROVIDED, that whenever an unenclosed swimming pool is constructed, said pool shall be provided with a protective fence six (6) feet in height and entry shall be provided by means of a controlled gate.
 - 9) Customary Home Occupations, as specified in Section 6.11.
 - 10) Keeping of Animals pursuant to the requirements of Section 6.14. No livestock is permitted in the R-1 District.
 - 11) Private Solar Energy Systems, as provided in Article VI, Section 6.15.
 - 12) Single WECS for On-Site Service Only, as provided for in Article VI, Section 6.16.

SECTION 7. Amendment of Article X: "B-1 DISTRICT: GENERAL BUSINESS"

Section 5.6.2, Uses Permitted by Right, of the Zoning Ordinance is hereby amended to read as follows:

5.6.2 USES PERMITTED BY RIGHT: Unless otherwise indicated, all of the following uses within this district must be wholly conducted within a permanent, fully enclosed building, except utility structures not usually so enclosed:

- 1) Retail Food Establishments: Which supply groceries, fruits, vegetables, meats, dairy products, baked goods, confections, or similar commodities for consumption off the premise. Foodstuffs may be prepared or manufactured on the premises as an accessory activity if the sale of the product is limited to the local retail store.
- 2) Other Retail Businesses: Such as drug, variety, second hand stores, dry goods, clothing, notions, music book or hardware and building supply stores which supply commodities on the premises.
- 3) Personal Service Establishments: Which perform services on the premises, such as barber or beauty shops; repair shops for shoes, radio, television, appliance, jewelry; self-service laundries; and photographic studios.
- 4) Restaurants: Including lunch counters, dairy bars, coffee shops and other establishments which provide for consumption on the premises.
- 5) Fur and Dry Cleaning Establishments: PROVIDED that nonflammable and odorless cleaning fluid or solvent is used.
- 6) Taverns.
- 7) Public Assembly Buildings, including theaters (except drive-in), auditoriums, churches, clubs and lodges.
- 8) Public Buildings: Post offices, libraries and governmental administrative offices.
- 9) Banks and other financial institutions.

- 10) Hospitals, medical clinics, and convalescent homes.
- 11) Funeral homes and mortuaries.
- 12) Printing, publishing, photographic reproduction, blueprinting and related trades and arts.
- 13) Sales of new and used vehicles, such as automobiles, trailers and boats, PROVIDED,
 - a) that any outdoor storage space is paved and adequately maintained so as to provide a durable smooth and dustless surface.
 - b) that the site is so graded and provided with adequate drainage facilities that all collected surface water is effectively carried away from the site.
- 14) Bus passenger terminals and stations.
- 15) Health Offices: For surgeons, physicians, dentists and other similar professional persons concerned with improving personal and community health.
- 16) Professional Offices: For architects, engineers, artists, and others employed in the graphic arts field.
- 17) Administrative Offices: In which the personnel will be employed in one (1) or more of the following fields: Executive, administrative, legal, writing, clerical, stenographic, accounting, insurance and similar enterprises.
- 18) Business schools or private schools operated for profit.
- 19) Pet Shops: PROVIDED that animals and birds are kept entirely within the building at all times.
- 20) Commercial Recreation Facilities: Such as bowling alley, billiard hall, indoor archery range, indoor skating rink, or other similar uses, PROVIDED, that all uses will be conducted wholly within a completely enclosed building and that such building is located at least one hundred (100) feet from any adjacent residential zoning district boundary.
- 21) Temporary Outdoor Uses: Such as sidewalk sales displays, Christmas tree sales lots, revival tents, or other quasi-civic activities may be permitted on a temporary basis without a public hearing by the Zoning Administrator PROVIDED that such permit shall not be issued for more than thirty (30) days in any one (1) year.
- 22) Open air businesses, such as retail sales of products, landscaping materials, plant materials not grown on the premises, sales of lawn furniture, playground equipment and garden supplies, PROVIDED,
 - a) that any outdoor storage space or display area is prepared and maintained so as to provide a durable, smooth and dustless surface.
 - b) that the site is graded and drained so that all surface water runoff is collected and effectively carried away from the site.
- 23) Veterinary hospitals, clinics and kennels.
- 24) Customary accessory uses, incidental to the principal use unless specifically mentioned and controlled in this Article.
- 25) Private Solar Energy Systems, as provided in Article VI, Section 6.15.

SECTION 8. Amendment of Article X: "M-1 DISTRICT: INDUSTRIAL"

Section 5.7.3, Uses Permitted, of the Zoning Ordinance is hereby amended to read as follows:

5.7.3 USES PERMITTED: In this district no building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered or enlarged, except for the following uses, PROVIDED the provisions of Section 5.7.4 are met along with any regulations on particular uses as specified in Article VII.

- 1) Any production, processing, clearing, testing, repair, storage, and distribution of materials, goods, foodstuffs, and other semifinished or finished products from previously prepared material, PROVIDED that the requirements specified in Section 5.7.4 below are met and PROVIDED FURTHER that no retail activity is involved.
- 2) Trade or industrial schools.
- 3) Public utility installations and buildings.
- 4) Truck or rail freight terminal.
- 5) Contractor's establishment not engaging in retail activities on the site.
- 6) Commercial freestanding towers, PROVIDED the requirements of Section 6.5.1 (3) are met.
- 7) Storage facilities for building materials, sand, gravel, stone, lumber and contractor's equipment.
- 8) Storage and repair of large trucking equipment.
- 9) Railroad right-of-way: Including all necessary trackage, switches, operating devices, storage, marshalling yards, freight yards or sidings.
- 10) Heating and electric power generating plants.
- 11) Grain and seed elevators and sales; cold storage for cooperative and/or wholesale agricultural products.
- 12) Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use, such as:
 - a) Incidental offices for management and materials control.
 - b) Restaurant or cafeteria facilities for employees.
 - c) Caretaker's residence if situated upon a portion of the lot complying with all of the requirements of the residential districts.
 - d) Identification signs referring to the principal activities on the premises or to the person or firm performing these activities.
- 13) Open industrial or storage uses, PROVIDED that any activity in which materials being processed or stored are located, transported, or treated outside of a building; such use shall be provided with an obscuring, permanently maintained fence or wall no lower than the subject use or storage.
- 14) Junk yards:

- a) All uses shall be established and maintained in accordance with all applicable State of Michigan statutes. If any of the requirements of this subsection are less than those in applicable state statutes, the state requirements shall prevail.
 - b) The site shall be a minimum of one (1) acre in size.
 - c) An obscuring fence or wall at least eight (8) feet in height shall be provided around the entire periphery of the site to screen said area from surrounding property. Such fence or wall shall be of sound construction, painted and otherwise finished neatly and inconspicuously.
 - d) All activities shall be confined within the fenced in area. There shall be no piling of material above the height of the fence or wall, except that movable equipment used on the site may exceed the wall or fence height. No equipment, material, signs or lighting shall be used or stored outside the fenced-in area.
 - e) All fenced-in area shall be set back at least one hundred (100) feet from any front street or property line. Such front yard setback shall be planted with trees, grass and shrubs to minimize the appearance of the installation.
 - f) No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing, or packaging shall be conducted within a completely enclosed building.
 - g) Whenever the installation abuts upon property within a residential or agricultural district, a transition strip of at least two hundred (200) feet in width shall be provided between the fenced-in area and the property within a residential or agricultural district. Such strip shall contain plant materials or grass and structural screens of a type to effectively minimize the appearance of the installation and help confine odors therein.
- 15) Mining: The Township of Leslie recognizes that minerals are rare and non-renewable in nature. Therefore, mining may be allowed in the M-1 Industrial District if the requirements of Section 7.17 are met, together with all other requirements of the Leslie Township Zoning Ordinance.
- 16) Billboards by special use permit pursuant to the requirements of Article VI, Section 6.2.3.
- 17) Other uses of a similar and no more objectionable character which can meet the requirements of Section 5.7.4 following.
- 18) Private Solar Energy Systems, as provided in Article VI, Section 6.15.
- 19) Commercial Solar Energy Systems, as provided in Article VII, Section 7.20.
- 20) Battery Energy Storage Systems as an accessory use to a Commercial Solar Energy System, as provided in Article VII, Section 7.20.
- 21) Single WECS for On-Site Service Only, as provided for in Article VI, Section 6.16.

SECTION 9. Amendment of Article XI: "SITE PLAN REVIEW"

Section 6.12.1, Approval Required, of the Zoning Ordinance is hereby amended to read as follows:

6.12.1 APPROVAL REQUIRED: It is the purpose of this Section to specify standards and data requirements which shall be followed in the preparation of site plans as required by this Ordinance. Site plan approval is required as follows:

- 1) For those uses requiring Special Use Permits as specified in each zoning district.
- 2) For all uses by right and all special land uses within the B-1, M-1 zoning districts.
- 3) For all Planned Unit Developments and all Rural Cluster Developments.
- 4) For any conversion or expansion of a nonconforming use to either a conforming use or another proposed nonconforming use.
- 5) For any use requiring more than five (5) parking spaces.
- 6) For any development, except single-family platted residential, for which off-street parking areas are provided.
- 7) All site condo, condominium projects and condominium subdivisions developed pursuant to the Condominium Act (MCLA 559.101 et seq).
- 8) All developments in wetlands and 100 year floodplains, including individual single family homes for which a permit is required by the Michigan Department of Natural Resources.
- 9) For any other use or development for which the submission of a site plan is required by this Ordinance.
- 10) Commercial Solar Energy Systems (CSES).
- 11) Private Solar Energy Systems.

SECTION 10. Amendment of Article XI: "SITE PLAN REVIEW"

Section 6.15, Solar Energy Systems, of the Zoning Ordinance is hereby amended to read as follows:

Section 6.15 PRIVATE SOLAR ENERGY SYSTEMS

- 1) Any Private Solar Energy System mounted on the ground shall comply with those requirements applicable to an accessory building under Article VI, Section 6.2.2, or those requirements applicable to an accessory building within the zoning district in which the Private Solar Energy System is located, whichever are more stringent.
- 2) A site plan shall be prepared and submitted to the Zoning Administrator for approval prior to commencing installation. The site plan shall include the proposed location and an elevation drawing showing the proposed height and foundation details.
- 3) Private Solar Energy Systems shall not be constructed or installed in the front yard of any lot, absent a showing that the Private Solar Energy System cannot be operated efficiently on any other location on the property, and that such operation will not unreasonably interfere with adjacent properties.
- 4) Any Private Solar Energy System erected on a building shall not extend beyond the peak of the roof, provided that a Private Solar Energy System erected on a flat roof shall otherwise comply with the other requirements of this Section. In no event shall any portion of a Private Solar Energy System extend beyond the lesser of either thirty (30) feet or the

maximum building height permitted within the district in which that Private Solar Energy System is located.

- 5) Any Private Solar Energy System mounted on the roof of a property must be installed with a minimum three (3) foot setback from the edges of the roof, the peak, the eave, or the valley.
- 6) No Private Solar Energy System shall be installed in such a way as to pose an Unreasonable Safety Hazard.
- 7) All Private Solar Energy Devices must conform to all applicable federal, state and county requirements, in addition to other applicable Township Ordinances, as well as any applicable industry standards.
- 8) All Private Solar Energy Systems must be installed in a manner ensuring that concentrated solar glare shall not be directed onto nearby properties or roadways. Any Private Solar Energy System mounted on the ground shall be sufficiently screened from the view of adjacent properties or roadways through the use of solid fencing consistent with Section 8.14, or the installation of a wall, hedge, or other vegetation not less than four (4) feet and no more than eight (8) feet in height.
- 9) All power transmission lines from a ground-mounted Private Solar Energy System to any building or other structure shall be located underground. The Township Board may waive this requirement, or may limit it through conditions, if it determines that it would be impractical or unreasonably expensive to install, place or maintain such transmission lines underground.
- 10) Any Private Solar Energy Systems and the surrounding premises must be kept and maintained in good repair and condition at all times and must continuously conform with all applicable building and electrical codes. This shall include, but is not limited to, ensuring that any fencing is maintained to provide sufficient protection and screening, that the property is kept clear of trash and other debris, that all aspects of the Private Solar Energy System are maintained according to industry standards, and that no portion of any Private Solar Energy System is in a blighted, unsafe, or substandard manner.
- 11) A Private Solar Energy System shall be deemed abandoned if it fails to make any power for twelve (12) contiguous months, and shall be removed by the property owner within six (6) months of becoming abandoned.

SECTION 11. Amendment of Article VII: "USES AUTHORIZED BY SPECIAL USE PERMIT"

Section 7.20 of the Zoning Ordinance is hereby amended to "Commercial Solar Energy Systems" which shall read, in its entirety, as follows:

7.20 COMMERCIAL SOLAR ENERGY SYSTEMS

- 1) **Intent and Purpose:** The intent and purpose of this Section is to establish standards for the siting, installation, operation, repair, decommissioning, and removal of Commercial Solar Energy Systems; establish the process for the reviewing and permitting of such systems; protect the health, welfare, safety, and quality of life of the general public; and ensure compatibility with land uses in the vicinity of the areas affected by such systems.

- 2) Site Requirements:

a) Density; Location. No more than 1% (one percent) of the total land within Leslie Township shall be approved for use as the project area for a Commercial Solar Energy System.

b) The site shall be at least twenty (20) acres.

c) The site may consist of a single participating parcel of at least 20 acres in size; or multiple contiguous participating parcels totaling at least 20 acres in size.

d) The site and all fenced compounds shall have access described below.

i. There shall be direct access from a public road or an access easement with a maximum length of one thousand two hundred fifty (1,250) feet and a width of at least thirty-three (33) feet.

ii. Access drives shall have a hard surface or material that can pack hard that is sufficient to support fire apparatus and provide access at all times of the year. Use of gravel, rather than a more permanent material such as concrete or asphalt, is encouraged.

1) Buffering Requirements:

a) There shall be a landscape buffer at least twenty (20) feet wide along the exterior of the project boundary. Vegetation shall provide effective visual screening year-round for the Commercial Solar Energy System, unless otherwise waived by the Township, and shall be maintained to provide such visual screening throughout the life of the project, as described below.

i. The buffer shall be installed to obscure the Commercial Solar Energy System and shall contain staggered evergreen trees or bushes planted not less than eight (8) feet apart linearly. The Township may consider an alternative landscape buffer as a part of the special land use approval, provided the alternative provides adequate screening.

ii. Plantings shall be at least four (4) feet tall at time of planting and shall reach a height of ten (10) feet within three (3) growing seasons. If after the three (3) growing seasons the plantings do not totally block the view of the Commercial Solar Energy System, the Township may require additional planting.

iii. The trees may be trimmed but must maintain a height of at least ten (10) feet.

iv. The landscape buffer shall be a minimum of thirty (30) feet wide if adjacent to any non-participating residential dwellings.

a) Proper vegetation management techniques shall be followed with respect to vegetation, including but not limited to, proper pruning, proper fertilizing, and proper mulching, so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be removed and must be replanted at the next appropriate planting time.

b) All fences and improved areas, not including the required vegetative buffer, shall comply with the applicable setbacks set forth in Section C.6: Setbacks.

- c) All structures and improved areas located within the fenced compound shall be at least thirty (30) feet from the fence line.
 - d) Setbacks. Setbacks for a parcel containing a Commercial Solar Energy System shall be as follows:
 - i. Commercial Solar Energy Systems and related accessory structures shall be at least one hundred (100) feet from a lot line of any Non-Participating Property that does not contain a residential dwelling, church or religious institution, school, family or group child day-care home, bed and breakfast establishment, residential facility, and any other residence or inhabited structure.
 - ii. Commercial Solar Energy Systems and related accessory structures shall be at least one hundred and fifty (150) feet from a lot line of any Non-Participating property containing a residential dwelling, church or religious institution, school, family or group child day-care home, bed and breakfast establishment, residential facility, and any other residence or inhabited structure, and five hundred (500) feet from the corner of that such residential dwelling, church or religious institution, school, family or group child day-care home, bed and breakfast establishment, residential facility, and any other residence or inhabited structure that is closest to the Commercial Solar Energy System at the application for a Commercial Solar Energy System is filed and deemed administratively complete.
 - iii. Commercial Solar Energy Systems and related accessory structures shall be at least one hundred (100) feet from a county drain, river, stream, or other waterway as determined by the Township.
 - iv. The required front yard setback for the zoning district in which the Commercial Solar Energy System is proposed shall be enforced from any roadway.
 - v. There shall be no setback requirement from the lot line of a participating parcel.
 - vi. Fencing shall comply with the setbacks for the zoning district in which the Commercial Solar Energy System is proposed.
- 2) Performance Standards:
- a) Compliance with Law: Commercial Solar Energy Systems shall be designed, constructed, operated, and maintained in compliance with all applicable provisions of local, state, and federal laws and regulations.
 - b) PV Array Components: PV array components shall be approved by the Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), International Electrotechnical Commission (IEC), or other similar certification organization if the similar certification organization acceptable to the Township.

c) Fencing: Commercial Solar Energy Systems System project areas shall be surrounded by a fence designed to prevent unauthorized access and screen the system.

- i. The fence shall be at least seven (7) feet tall, and posts shall be set at least thirty-six (36) inches in the ground.
- ii. The fence shall be a wood-post, woven mesh, agricultural-style fence. The Township may require or allow durable green opaque material to be integrated into the fence if necessary for buffering or screening.
- iii. Gates shall be provided at all access points, unless otherwise permitted or approved. Gates for vehicular access shall be approved by the Leslie Fire Department.
- iv. Gates shall be the same height and constructed of the same material as the fencing. Access, such as knox box, shall be provided for emergency responders.
- v. The Township may require or allow a fence design to allow for the passage of wildlife upon a finding that adequate access control and visual screening will be preserved.
- vi. Alternate fencing and gates may be approved by the Township upon a finding that the alternative provides adequate access control and visual screening.

a) Safety:

- i. All collection system wiring shall comply with all applicable safety and stray voltage standards.
- ii. All electrical connection systems and lines from the Commercial Solar Energy System to the electrical grid connection shall be located and maintained a minimum of six (6) feet underground within and adjacent to the site.
- iii. All access gates and doors to Commercial Solar Energy System compounds and electrical equipment shall be lockable and kept secured at all times when service personnel are not present.
- iv. The applicant shall be responsible for maintenance of the access roads.
- v. The manufacturer's or installer's identification and appropriate warning signs shall be posted on or near solar panels in a clearly visible manner.
- vi. Fire suppression plans and material safety data sheets shall be kept on-site and accessible for emergency responders.

a) Advertising or signs not required by this Ordinance shall be prohibited.

b) Signs shall be posted at entrances to Commercial Solar Energy System compounds containing emergency contact information, operator contact information, and complaint resolution information. The Township may require additional signs with this information on the fence surrounding the compound.

- c) The Commercial Solar Energy System owner, operator, and property owner shall be responsible, jointly and severally, for mitigating erosion or flooding resulting from the Commercial Solar Energy System.
- d) The Commercial Solar Energy System owner, operator, and property owner shall be responsible, jointly and severally, for making repairs to any public roads, drains, and infrastructure damaged by the construction of a Commercial Solar Energy System.
- e) Without a Special Use Permit allowing the use, a Commercial Solar Energy System shall not have an on-site Battery Energy Storage System. Any permitted Battery Energy Storage System shall not be used for the sale of stored energy.
- f) Plants or grasses not part of the buffer area shall be maintained not to exceed a height of twelve (12) inches. The Township may approve a taller height upon a finding that it will not result in a nuisance.
- g) Wildlife Impact:
 - i. The applicant shall have a third-party qualified professional, reasonably acceptable to the Township, conduct an analysis to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate, or mitigate adverse impacts identified in the analysis. The applicant shall identify and evaluate the significance of any effects on wildlife or concerns that are predicted to remain after mitigation efforts.
 - ii. Sites requiring particular consideration by the Township are those which include or are adjacent to wildlife refuges, other areas where birds are highly concentrated, bat hibernacula, wooded ridge tops that attract wildlife, sites that are frequented by federally or state listed endangered species of birds and bats, significant bird migration pathways, and areas that have landscape features known to attract large numbers of raptors.
 - iii. At a minimum, the analysis shall include a thorough review of existing information regarding species and potential habitats in the vicinity of the project area, including the land contained in the project area. Where appropriate, surveys for bats, raptors, or general avian use should be conducted. The analysis shall include the potential effects on species listed under the federal Endangered Species Act and Michigan's Endangered Species Protection Law. The applicant shall follow all pre-construction and post-construction recommendations of the United States Fish and Wildlife Service.
 - iv. The analysis shall indicate whether a post-construction wildlife mortality study will be conducted and, if not, the reasons why such a study does not need to be conducted. Power lines should be placed underground, when feasible, to prevent avian collisions and electrocutions. All above-ground lines, transformers, or conductors should follow any Avian Power Line Interaction Committee (APLIC, <http://www.aplic.org/>) guidelines to prevent avian mortality.

a) Environmental Impact:

- i. The applicant shall have a third-party qualified professional, reasonably acceptable to the Township, conduct an analysis to identify and assess any potential impacts on the natural environment including, but not limited to, wetlands and other fragile ecosystems, historical and cultural sites, and antiquities. The applicant shall take appropriate measures to minimize, eliminate, or mitigate adverse impacts identified in the analysis.
 - ii. The applicant shall identify and evaluate the significance of any effects or concerns that are predicted to remain after mitigation efforts. The applicant shall comply with applicable parts of the Michigan Natural Resources and Environmental Protection Act (Act 451 of 1994, MCL 324.101 et seq.) including but not limited to Part 31 Water Resources Protection (MCL 324.3101 et seq.), Part 91 Soil Erosion and Sedimentation Control (MCL 324.9101 et seq.), Part 301 Inland Lakes and Streams (MCL 324.30101 et seq.), Part 303 Wetlands (MCL 324.30301 et seq.), Part 323 Shoreland Protection and Management (MCL 324.32301 et seq.), Part 325 Great Lakes Submerged Lands (MCL 324.32501 et seq.), and Part 353 Sand Dunes Protection and Management (MCL 324.35301 et seq.).
- a) Glare Impact:
- i. A solar glare study that is prepared by a professional engineering firm or other qualified third-party expert shall analyze whether glare will be directed by the Commercial Solar Energy System onto adjacent properties, particularly Non-Participating Properties, and to public roadways. The study shall analyze how much glare will be directed onto these properties.
 - ii. The applicant shall take appropriate measures to minimize, eliminate, or mitigate glare impacts identified, particularly any glare impacting Non-Participating Properties.
- b) Storm Water. A written description of measures to be taken to support the flow of rainwater throughout the Commercial Solar Energy System, including any measures to promote the growth of vegetation beneath the arrays and/or otherwise limit the impacts of storm water runoff. The measures shall be subject to the approval of the Ingham County Drain Commission.
- c) Spacing. A Commercial Solar Energy System shall be at least two thousand five hundred (2,500) feet from any adjacent, existing Commercial Solar Energy System, unless the Township waives or reduces this requirement after determining that the proposed Commercial Solar Energy System is essentially an expansion of an existing Commercial Solar Energy System or that the reduced spacing is consistent with the intent and purpose of this Section, will not cause any unduly adverse impacts to nearby properties, and otherwise furthers the public health, safety, and welfare.
- d) Sound. Further, in recognition of the adverse effects of consistent noise on human health, reducing incidences of nuisance, and in line with the recommended guidelines by the EPA, the maximum ambient noise level of sounds created by a Commercial Solar Energy System shall be forty-five (45) DBA Lmax or less along the exterior boundary of a fenced compound. The following standards do not apply

to short, intermittent bursts of sound, rather consistent, intrusive noise for sixty (60) minutes or longer.

Noise Level Limits

Daytime	Nighttime
45 DBA Leq (60)	40 DBA Leq (60)
7 am–10 pm	10 pm–7 am

- e) Groundcover. A Commercial Solar Energy System shall include the installation of perennial groundcover vegetation, which shall be maintained for the duration of operation, until the site is decommissioned.
- i. The groundcover within the Commercial Solar Energy System must include at least one (1) of the following types of dual-use ground cover to promote ecological benefits:
 1. Pollinator habitat with a score of at least seventy-six (76) on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites (www.pollinators.msu.edu).
 2. Conservation cover focused on restoring native plants, grasses, or prairie with the aim of protecting specific species, such as bird habitat, or providing specific ecosystem services, such as carbon sequestration or improving soil health.
 3. Incorporation of rotational livestock grazing and forage production as part of an overall vegetative maintenance plan; or
 4. Raising crops for food, fiber, or fuel and generating electricity within the site to maximize land use.
 - i. The Township may approve or require alternative ground cover upon finding it is not feasible to provide groundcover as defined above.
 - ii. All groundcover must be native plants with substantial root system to support soil. Turf grass is not permitted as ground cover.
 - iii. Invasive species and noxious weeds are not permitted and must be removed in a timely manner.
 - iv. These requirements are imposed to the degree that they do not conflict with the Michigan Department of Agriculture and Rural Development's Policy for Allowing Commercial Solar Panel Development on PA 116 Lands, where applicable. Land subject to such requirements must meet those obligations.
- b) Lighting. Lighting shall be limited to inverter or substation locations only and shall comply with 14.04(E) Lighting. Lighting shall be shielded and directed away from adjacent properties and shall not adversely affect driver visibility on adjacent roadways. No lighting may be projected outside the project area.

- c) **General Liability Insurance.** The Commercial Solar Energy System shall have and maintain general liability insurance of at least ten million (\$10,000,000.00) dollars and shall name the Township as an additional insured. The Township may require a higher amount for larger projects, or due to applicable market changes, and may allow for a lesser amount for smaller projects upon a finding that the alternate amount is more consistent with the likely risk.
- d) **Repowering or Modifications.** Any modifications of the approved site plan that are made after the initial date of approval, including an expansion of project, shall be resubmitted to the Township for review at an additional fee based upon the current fee schedule, or additional fees deemed necessary for the extent of review. Incidental or minor changes may be approved by the Zoning Administrator. Incidental changes in this context are defined as a change which does not result in a movement of more than one hundred (100) feet in location of access roads, or a change which does not result in a movement of more than one hundred (100) feet or any increase in the number of solar panels, electrical inverters, storage buildings, and accessory structures within the approved project area. Any changes in excess of twenty (20%) percent to the approved site plan, subject to this ordinance and as it exists at time of application, will require a new site plan application and review, including reconfiguration of arrays, updating current technology, and Commercial Solar Energy System infrastructure. The inclusion of a Battery Energy Storage System will require an additional site plan application and review.
- e) **Inspection.** Upon issuing any Commercial Solar Energy System Special Use Permit, the Township shall have the right to inspect the premises on which each Commercial Solar Energy System is located at any reasonable time. The Township may hire a consultant to assist with any such inspections at the applicant's reasonable cost.

2) Accessory Solar Equipment and Battery Energy Storage Systems:

- a) The inclusion of a Battery Energy Storage System requires a Special Use Permit separate from that of the Commercial Solar Energy System, as well as a separate approved site plan. The Township will not issue a special use permit or site plan approval for a Battery Energy Storage System unless it determines that the general requirements applicable to special land uses and site plan review, as well as the specific standards of this Section, are satisfied. The issuance of a special use permit for a Commercial Solar Energy System does not guarantee an applicant a special use permit for a Battery Energy Storage System.
- b) Other accessory solar equipment clearly subordinate and necessary to the operation of the Commercial Solar Energy System shall be deemed an accessory use to the Commercial Solar Energy System and shall not require a separate special land use permit or separate site plan.
- c) Battery Energy Storage System and/or accessory solar equipment shall be located inside of a building in the central area of a Commercial Solar Energy System and set back at least five hundred (500) feet in any direction from any residential structure. All accessory solar equipment and/or Battery Energy Storage System shall be screened, consistent with this section, without compromising the effectiveness of the solar collectors.

- i. Solar storage batteries that are included as part of a Battery Energy Storage System shall be placed in a secure container or enclosure that complies with the requirements of the building code, and when no longer in use shall be disposed of in accordance with applicable laws and regulations.
- d) The Applicant shall submit an impact analysis for the accessory solar equipment or Battery Energy Storage System.
- e) Applicant shall submit a Fire Response Plan for the accessory solar equipment or Battery Energy Storage System. This Fire Response Plan shall address any hazardous materials located on-site, and shall state that the operator of the Commercial Solar Energy System and/or Battery Energy Storage System has discussed the response plan and needed capacity with local emergency response entities.
- f) All accessory solar equipment and/or Battery Energy Storage System shall be located on the same parcel as the Commercial Solar Energy System.
- g) Compliance with Additional Codes. Accessory equipment to a Commercial Solar Energy System and/or Battery Energy Storage System, and the installation and use thereof, shall comply with the Township and State of Michigan construction code, electrical code, and other applicable Township and State codes.
- h) Compliance with Permitting Process. Installation of a Battery Energy Storage System shall not commence until all necessary permits have been obtained, including the Special Use Permit for the Battery Energy Storage System.
 - i. Visual Impact. Battery Energy Storage Systems shall not have a significant adverse impact on the natural features or neighborhood character of the surrounding area and shall be located to maximize its distance and visibility from adjacent properties and roadways.

3) Application Requirements:

An applicant proposing a Commercial Solar Energy System must submit the following additional materials with the Special Land Use Application:

- a) Applicant Identification: Applicant's name and address in full, a statement that the applicant is the owner involved or is acting on the owner's behalf, the address of the property involved in the application (substitution may include a legal description or parcel identifications number(s), and any additional contact information. Each application for a Commercial Solar Energy System shall also be dated to indicate the date the application is submitted to Leslie Township.
- b) Project Description: A general description of the proposed project including a legal description of the property or properties on which the project would be located and an anticipated construction schedule.
- c) Insurance: Proof of the general liability insurance to cover the Commercial Solar Energy System, the Township, and the Landowner.

- d) Certifications: Certification that applicant will comply with all applicable state and federal laws and regulations. Land enrolled in the Michigan Farmland Preservation Program must provide confirmation of approval from the Michigan Department of Agriculture to locate a Commercial Solar Energy System on the property before issuance of a certificate of zoning compliance.
- e) Compliance with the County Building Code and the National Electric Safety Code: Construction of a Commercial Solar Energy System shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section. In the event of a conflict between the County Building Code and National Electric Safety Code (NESC), the NESC shall prevail.
- f) Environmental Impact: Copy of the Environmental Impact Analysis.
- g) Wildlife Impact: Copy of the Wildlife Impact Analysis.
- h) Glare Impact: Copy of the Glare Analysis.
- i) Noise Impact: An analysis demonstrating that the Commercial Solar Energy System will comply with the sound limitations set forth in this Section.
- j) The economic impact of the Commercial Solar Energy System, as reflected in a written analysis including, but not limited to, a review of the following:
 - i. An analysis of taxes due and owing.
 - ii. The potential for the project's tax contribution to change in the future due to legislative preemption.
 - iii. The project's impact on the taxable value of the property, including depreciation over time.
 - iv. The project's overall economic impact on the Township, specifically including the impact of the loss of farmland caused by project.
- k) Manufacturers' Safety Data Sheet(s): Documentation shall include the type and quantity of all materials used in the operation of all equipment.
- l) Decommissioning Plan: Copy of the decommissioning plans and a description of how any surety bond, if required, is applied to the decommissioning process.
- m) Complaint Resolution Protocol: Copy of Complaint Resolution Protocol.
- n) Fire Suppression Plan: A plan describing the fire suppression process and procedure, as well as training for emergency personnel.
- o) Community Benefits: Whether the applicant has planned community outreach to the Township and its residents, and if so, the nature of such outreach. This includes, but is not limited to, planned outreach or educational services, charitable or philanthropic activity, community improvement or educational programs, or other contributions and factors that will directly benefit the Township, Township services and improve the health, safety, and welfare of the Township and its residents, consistent with the Township's Master Plan. The applicant's demonstration of such benefits shall not be a

required condition of approving a special land use permit for a Commercial Solar Energy System.

p) **Site Plan:** The site plan prepared in accordance with Article XVIII Site Plan Requirements shall be submitted, showing the location, size, and screening of all buildings and structures. The site plan shall also include the following:

- i. Survey of the property showing existing features such as contours, large trees, buildings, structures, roads (rights-of-way), utility easements, land use, zoning district, ownership of property, and vehicular access;
- ii. All lot lines and dimensions, including a legal description of each lot or parcel comprising the Commercial Solar Energy System;
- iii. Vicinity map showing the location of all surrounding land uses;
- iv. Water bodies, waterways, wetlands, and drainage channels;
- v. Lighting plan;
- vi. Plan(s) showing the following:
 1. The location and height of the proposed Commercial Solar Energy System;
 2. The location and height or depth of existing or proposed underground and overhead electrical tie lines, transmission, and distribution lines;
 3. New drainage facilities (if any);
 4. Access drives (including width);
 5. Substations and accessory structures; and
 6. Proposed setbacks from the solar arrays to the boundary lines and all existing or proposed structures within the Commercial Solar Energy System.
- i. 7A description of the routes to be used by construction and delivery vehicles and of any road improvements that will be necessary in the Township to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond that guarantees the repair of damage to public roads and other areas caused by construction;
- ii. Anticipated construction schedule;
- iii. Description of operations, including anticipated regular and unscheduled maintenance, including the schedule for maintenance, types of maintenance to be performed, and decommissioning and removal procedures;
- iv. The applicant must also obtain a permit from the Ingham County Road Commission or Michigan Department of Transportation (MDOT) for permission to connect access roads to existing County roads and from the Ingham County Drain Commission for any culverts or other drainage facilities;

- v. Proof of approval by Ingham County, Road Commission, and Drain Commission;
 - vi. Any other relevant studies, reports, certificates, or approvals as may be reasonably required by the Township;
 - vii. A copy of the agreement between the applicant and the utility company that will be purchasing electricity from the proposed Commercial Solar Energy System;
 - viii. An affidavit or evidence of an agreement between the lot owner or operator confirming the owner or operator has the permission of the property owner to apply for the necessary permits for construction and operation of the Commercial Solar Energy System;
 - ix. A complete description of the proposed technology to include type of solar panel and system, maximum height, fixed mounted versus tracking, number of panels and angles of orientation;
 - x. An escrow deposit shall be provided to the Township in an amount included in the Township's Annual Fee Schedule, or an adjusted amount deemed to be appropriate given the scope of the project; and
 - xi. A complete set of photos and video of the entire development area prior to construction.
- a) **Application Fee.** Review fees shall be submitted for a Land Use Permit application, Special Use Permit application, site plan review, and required escrow fee to the Township in the amount specified in the fee schedule adopted by the Township Board. This shall include but not be limited to independent review by experts, as deemed necessary by the Township. The Township may, from time to time, require the applicant to provide additional escrow amounts as necessary to cover the costs of professional reviews. Any escrow amounts that are unused when the Township determines to grant or deny the application shall be refunded to the applicant.
- b) **Decommissioning Escrow.** If a special use permit is approved, the Township shall require security in the form of a cash deposit, letter of credit, or surety bond acceptable to the Township, which will be furnished by the applicant to the Township in order to ensure full compliance with requirements of the zoning ordinance and all conditions of approval. When determining the amount of the required security, the Township may also require an annual escalator or increase based on the Consumer Price Index (or its equivalent or successor). Such financial guarantee shall be deposited or filed with the Township Clerk after a special use permit has been approved but before construction commences on the Commercial Solar Energy System. At a minimum, the financial security shall be in an amount determined by the Township to be reasonably sufficient to restore the property to its previous condition prior to construction and operation of the Commercial Solar Energy System. Such financial security shall be kept in full force and effect during the entire time that the Commercial Solar Energy System exists or is in place, and such financial security shall be irrevocable and non-cancelable. In addition, the party operating a Commercial Solar Energy System approved by the Township shall inform the Township in the event that the Commercial Solar Energy System, or a material portion of that system is sold to a third party, and any such sale

shall require the purchasing party to provide the Township with the security described by this section, along with relevant contact information.

- c) Copies. The applicant shall submit copies of the application and all supporting materials, including two hard copies and an electronic copy, to the Township Zoning Administrator.

1) Abandonment and Decommissioning:

Following the operational life of the project, the Applicant shall perform decommissioning and removal of the Commercial Solar Energy System and all its components and restore the site to its original conditions.

- 1) The decommissioning plan shall provide security to the Township for one hundred percent (100%) of the cost to remove and dispose of all panels, wiring, and restoration of the land to its original condition, prior to the beginning of construction on the Commercial Solar Energy System. The value of decommissioning shall be determined by a third-party financial consultant or engineer selected by the Township and paid for by the developer. The decommissioning security shall not include scrap value. Once the value of decommissioning is determined, it shall be updated on a periodic basis of not less than every three (3) years.
- 2) All abandonment and decommissioning work must be done when soil is dry or frozen to prevent compaction.
- 3) Commercial Solar Energy System that are not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be subject to removal proceedings.
- 4) A Commercial Solar Energy System that is damaged shall be replaced or removed within seven (7) days.
- 5) The ground must be restored to its original topography within three hundred sixty-five (365) days of abandonment or decommissioning. An extension may be granted if a good faith effort has been demonstrated and any delay is not the result of action or inaction of the operator. An alternative topography can be approved by the Township as part of the original site plan review or later as part of decommissioning.
- 6) An annual report shall be provided to the Zoning Administrator showing continuity of operation and shall notify the Zoning Administrator if use is to cease, prior to decommissioning, or abandonment.
- 7) Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Commercial Solar Energy System exists or is in place shall constitute a material and significant violation of the Special Land Use, Special Use Permit, and this Ordinance, and will subject the Commercial Solar Energy System Applicant, owner, and operator, jointly and severally, to all remedies available to the Township, including any enforcement action, civil action, request for injunctive relief, and revocation of the Special Land Use Permit.

1) Complaint Resolution:

Commercial Solar Energy System shall provide a complaint resolution process, as described below.

- a) The site shall have signs posted with contact information to collect complaints related to the Commercial Solar Energy System.
- b) A log shall be kept by the owner or operator of all complaints received and shall be available to Township officials for review, per Township request.
- c) The operator or its agent shall respond to complainants within ten (10) business days and shall provide notification to the Zoning Administrator.
- d) Any resolution shall include lawful and reasonable solutions consistent with the Zoning Ordinance, which shall also be provided to the Zoning Administrator.
- e) The operator or its assigns reserve the right to adjudicate any claims, including residential claims, in a court of competent jurisdiction.
- f) An annual report shall be submitted to the Zoning Administrator and the Township Board that details all complaints received, the status of complaint resolution, and actions taken to mitigate complaints.

SECTION 12. SEVERABILITY: The provisions of this Ordinance are hereby declared to be severable and if any provision, section or part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provisions, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance, which shall continue in full force and effect.

SECTION 13. REPEAL: All Ordinances or parts of Ordinances in conflict herewith, specifically including Ordinance No. 22.9-1, the Leslie Township Ordinance Establishing Large Solar Energy Systems Moratorium, are hereby repealed.

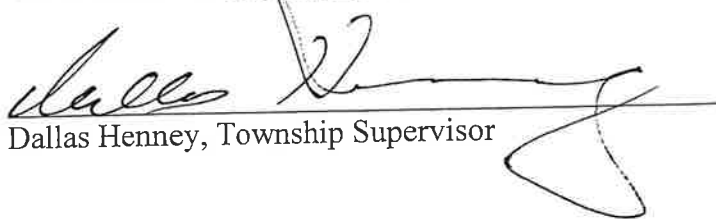
SECTION 14. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication of a notice of adoption of this Ordinance, unless referendum procedures are initiated under MCL 125.3402. If referendum procedures are initiated, this Ordinance will take effect in accordance with MCL 125.3402.

YEAS: Wade, Gilliland, Henney, Ward & Feazel

NAYS: None

ABSENT/ABSTAIN: None

ORDINANCE DECLARED ADOPTED.


Dallas Henney, Township Supervisor

CERTIFICATION

I hereby certify that:

1. The above is a true copy of an Ordinance adopted by the Leslie Township Board at a duly scheduled and noticed meeting of that Township Board held on January 10, 2024, pursuant to the required statutory procedures.
2. A summary of the above Ordinance was duly published in the Lansing State Journal newspaper, a newspaper that circulates within Leslie Township, on January 16, 2024.
3. Within 1 week after such publication, I recorded the above Ordinance in a book of ordinances kept by me for that purpose, including the date of passage of the ordinance, the names of the members of the township board voting, and how each member voted.
4. I filed an attested copy of the above Ordinance with the Ingham County Clerk on January 16, 2024.

ATTESTED:



Sheryl Feazel, Township Clerk