

**CHARTER TOWNSHIP OF FLUSHING**  
**6524 N. SEYMOUR ROAD**  
**FLUSHING, MICHIGAN 48433**  
**810-659-0800                      FAX: 810-659-4212**  
**MINUTES OF THE PLANNING COMMISSION MEETING**  
**DATE: MARCH 19, 2018                      TIME: 7:00 P.M.**  
**WEB ADDRESS <http://www.flushingtownship.com>**

**MEMBERS OF PLANNING COMMISSION**

Chair – Jerome Doyle	Robert Gensheimer
Vice Chair – Mark Newman	Donn Hinds
Secretary – Ronald Flowers	William Mills
Daniel J. McGrath, Board of Trustees Representative	
Joyce A. Wilson, Recording Secretary	

**PRESENT:** Jerome Doyle, Ronald Flowers, William Mills, Robert Gensheimer, Daniel J. McGrath, and Donn Hinds

**ABSENT:** Mark Newman

**OTHERS PRESENT:** Supervisor Thorsby, Caitlyn McGoldrick of Rowe Professional Services Company and two (2) other individuals

**I. MEETING CALLED TO ORDER** at 7:00 P.M. by Planning Commission Chair **JEROME DOYLE** with Roll Call and Pledge to the American Flag.

**II. APPROVAL OF AGENDA: COMMISSIONER GENSHEIMER MOVED**, supported by Commissioner Hinds to approve the agenda as submitted.

**THE MOTION CARRIED UNANIMOUSLY.**

**III. APPROVAL OF PREVIOUS MINUTES: COMMISSIONER FLOWERS MOVED**, supported by Commissioner McGrath to approve the minutes of the February 12, 2018 meeting as submitted.

**THE MOTION CARRIED UNANIMOUSLY.**

**IV. UNFINISHED BUSINESS**

None

**V. NEW BUSINESS**

**PUBLIC HEARING** – To consider an amendment to the Township Zoning Ordinance concerning multiple articles including Article 2 Definitions, Article 4, Sec. 20-419 On-Site Solar Energy Regulation, Article 7 District Regulations and Article 18 Special Use Permits to allow solar energy collectors.

The Public Hearing was opened at 7:06 P.M. by Chairman Doyle. Caitlyn McGoldrick of Rowe Professional Services Company reviewed with those present a *proposed* amendment to the Township Zoning Ordinance concerning multiple Articles including Article 2 Definitions, Article 4, Sec. 20-419 On-Site Solar Energy Regulation, Article 7 District Regulations and Article 18 Special Use Permits to allow solar energy collectors.

After review and discussion by the Planning Commission, the *proposed* Solar Ordinance is made a part of the Official Minutes as follows with revisions.

**Flushing Township**

**Solar Energy Zoning Ordinance Provisions – Draft 3**

**Article 2 DEFINITIONS**

**ROOF-MOUNTED SOLAR ENERGY COLLECTOR:** A solar energy collector that is attached to a building's roof on the parcel of land including solar shingles.

**COMMERCIAL SOLAR ENERGY SYSTEM:** A utility-scale facility of solar energy collectors with the primary purpose of wholesale or retail sales of generated electricity. Commonly referred to as solar farms.

**GROUND-MOUNTED SOLAR ENERGY COLLECTOR:** A solar energy collector that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located (Figure 1).

**ON-SITE:** A solar energy system designed to help meet the electrical needs within the limits of the area encompassed by the tract area or parcel of record on which the activity is conducted.

RACKING: Racking is any structure or building material used in the mounting of a solar panel (Figure 1).

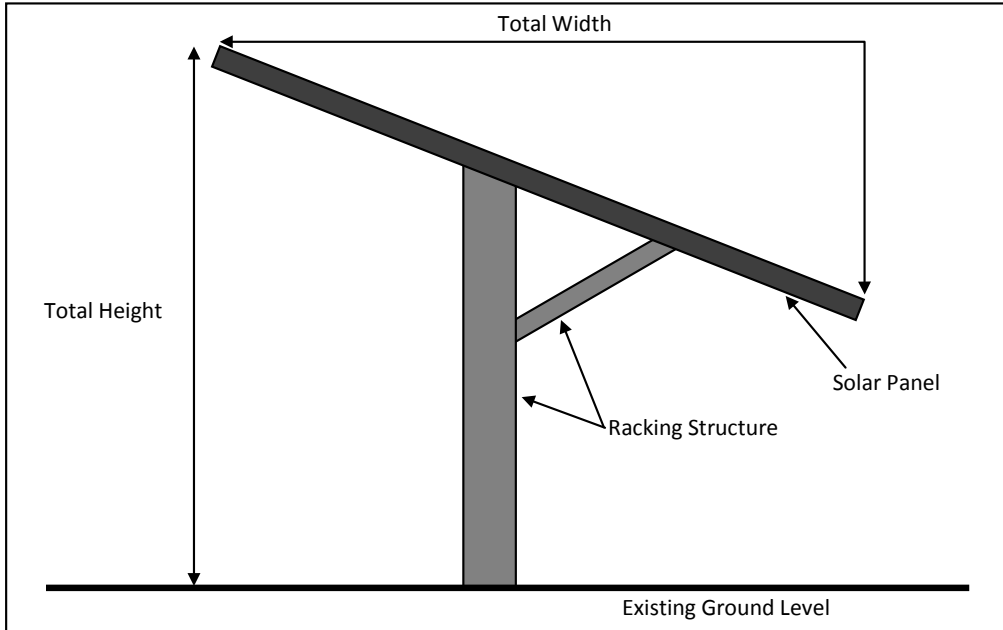


Figure 1

**SOLAR COLLECTOR:** A device or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a structure's energy supply.

**SOLAR ENERGY:** Radiant energy (direct, diffuse, and reflected) received from the sun.

**SOLAR ENERGY SYSTEM:** A solar collector or other device or structural design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use.

**SOLAR PANEL:** A panel consisting of an array of solar cells used to generate electricity directly from sunlight.

**SOLAR SHINGLES:** A roofing product made by combining thin film solar technology (which converts sunlight to electricity) with a durable backing to provide a structural roof shingle comparable to traditional roofing shingles.

## Article 4 Site Regulations

### Sec. 20-419 On-site Solar Energy Regulation

(a) All Solar Energy Collectors

(1) The installation of any solar panel (on-site or commercial) shall not negatively impact adjacent properties with additional or excessive storm water runoff and/or drainage.

- (2) It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
  - (3) All panels shall have tempered, non-reflective surfaces.
  - (4) Solar energy equipment shall be repaired, replaced, or removed within three months of becoming nonfunctional.
  - (5) Each system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).
  - (6) Solar energy collectors 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 building inspector prior to installation. Building inspector approval is required.
  - (7) Solar energy collectors and installation and uses shall comply with construction code, electrical code, and other state requirements.
- (b) On-site Roof-Mounted Solar Energy Collector
- (1) Solar energy collectors shall be such a weight to be safely supported by the building. Building inspector approval is required.
  - (2) Solar energy collectors shall be considered part of the building and meet all the required building height and setback requirements.
  - (3) Solar energy collectors shall not project more than 2 feet above highest point of roof or exceed maximum building height limitations allowed in that zoning district.
  - (4) Solar energy collectors shall not be located within 3 feet of any peak, eave, or valley to maintain adequate accessibility.
- (c) On-site Ground-Mounted Solar Energy Collector
- (1) Ground-mounted solar energy systems are only permitted in the side and rear yards.
  - (2) Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.
  - (3) Ground-mounted solar energy collectors shall not exceed 9 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.
  - (4) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed the maximum lot coverage.
  - (5) For the RU-1, RU-2, and RU-4 zoning districts, ground-mounted solar energy collectors shall not exceed a maximum of 96 square feet for a lot that is less than 1 acre. For a lot over 1 acre, the solar energy collectors shall not exceed a maximum of 192 square feet.
  - (6) For the RSA, C-1, C-2, C-3, M-1, and M-2 zoning districts, ground-mounted solar energy collectors shall be at a ratio of allowing 96 square feet per 1 acre of the lot.
  - (7) Ground-mounted solar energy collectors shall meet the requirements of Sec. 20-400 Accessory Structures.

**Article 7 District Regulations**  
**Section 20-701 Zoning District Uses**

<b>ZONING DISTRICT USES</b>										
<b>SCHEDULE OF USES (Uses Permitted by Right (P), Uses Permitted by Non-Discretionary Special Use Permits (NS), Uses Permitted by Discretionary Special Use Permit (DS), Accessory Uses and Buildings (A))</b>										
TYPE OF USES	DISTRICTS									
	RSA	RU-1	RU-2	RU-4	C-1	C-2	C-3	M-1	M-2	
<b>ACCESSORY USES, STRUCTURES, AND BUILDINGS</b>										
On-site Roof-mounted Solar Energy Collector	A	A	A	A	A	A	A	A	A	A
On-site Ground Mounted Solar Energy Collector	A	A	A	A	P	P	P	P	P	P
<b>INDUSTRIAL AND RELATED USES</b>										
Commercial Solar Energy Collector	DS								DS	DS

## Article 18 Special Use Permits Article

### Section 20-1804 Requirements for Permitted Special Land Uses

#### (OO) Commercial Solar Energy Collector System

(a) The commercial solar energy collector system must meet all requirements in Sec. 20-419(a) all solar energy collectors and (b) roof-mounted solar energy collectors-On-site Solar Energy Regulation.

(b) All commercial solar energy collector systems that are ground-mounted shall follow the following requirements:

(1) Ground-mounted solar energy collectors shall not exceed 9 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy collector shall be measured from ground level to the highest point of the solar panel.

1-(2) The total area of ground-mounted solar energy collections shall be included in calculations to determine lot coverage and shall not exceed a maximum lot coverage of 25 percent regardless of the residing zoning district.

~~(a)~~(c) Required to be on lots larger than 2 acres.

~~(b)~~(d) Any commercial solar energy collector system adjoining any residential development shall be provided with a buffer of at least 60 feet along the adjacent property line. Such buffer shall be planted with evergreen and other suitable plantings and used for no other purposes. A landscaped planting area of at least 60 feet shall also be provided along all street frontage. The Planning Commission may approve to substitute the above described greenbelt for an obscuring fence, wall, and other protective barriers as long as it meets requirements in Sec. 20-408.

- (1) The planting of native ground covers that shall be maintained on site during the operation, until the site is decommissioned.
- (2) Provide verification that adequate infrastructure exists to transport the electricity generated into the larger grid system.
- (3) Power and communication lines running between the banks of the solar panels may be placed above ground, provided the lines are placed no higher than top of the solar panels.
- (4) Power and communication lines to electric substations or interconnections with buildings shall be buried underground.

(d) Exception for underground power communication lines:

- (1) Where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
- (2) When required by the utility company.
- (3) Unless otherwise determined by the Planning Commission.

(e) The installation of the solar energy collectors shall not disturb the existing topography.

(f) A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 90 days. The plan shall include provisions for removal of all structures, foundations, electrical equipment and internal or perimeter access roads, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site. The applicant shall submit a financial guarantee in the form of a bond in favor of the municipality equal to 125 percent of the costs to meet the requirements of the decommissioning plan. The type of guarantee is subject to the Planning Commission's approval.

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## **VI. PUBLIC COMMENTS**

### **OPEN FOR COMMENTS: 8:25 P.M.**

One individual gave comments in opposition to the Ordinance

### **CLOSED FOR COMMENTS: 8:43 P.M.**

## **VII. COMMISSION COMMENTS**

There were no comments

With no further business, the meeting adjourned at 8:45 P.M.

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JEROME DOYLE, Chair

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RONALD FLOWERS, Secretary

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Date of Approval

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Joyce A. Wilson, Recording Secretary  
03/19/2018 Plan. Com. Mtg.

Any corrections to minutes appear in *bold italics*