



**EATON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT**  
**1045 INDEPENDENCE BLVD.**  
**CHARLOTTE, MI 48813**  
**(517) 543-3689 Fax: (517) 543-9924**

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## MEMORANDUM

**FROM:** Claudine Williams, Director  
Eaton County Community Development Department

**DATE:** May 18, 2018

**RE:** District Change Amendment Application, DCA-3-18-2

At the April 30, 2018 Zoning Ordinance Committee meeting it was requested staff research a different method for setback requirements other than having one standard setback for the entire solar development.

Below please find the current setback language and two other ideas for the Committee to discuss.

### **CURRENT PROPOSED LANGUAGE**

- C. Setbacks: A minimum setback distance of seventy-five (75) feet from all exterior property lines of the Large Solar Energy System and existing public or private road rights-of-way shall be required for all buildings and Solar Arrays.

### **POTENTIAL LANGUAGE # 1**

- C. Setbacks: Setback areas in which no Large Solar Energy Systems shall be located are as follows and shall be shown on the Site Plan per Section 14.39.3:
1. No buildings, solar arrays or equipment shall be placed within XXX of any property line or existing public or private road rights-of-way.
  2. No buildings, solar arrays or equipment shall be placed within XXX of any accessory structure.
  3. No buildings, solar arrays or equipment shall be placed within XXX of any dwelling.

## POTENTIAL LANGUAGE # 2

- C. Setbacks: A minimum setback distance of seventy-five (75) feet from all exterior property lines of the Large Solar Energy System and existing public or private road rights-of-way shall be required for all buildings and Solar Arrays. If properties surrounding a Large Solar Energy System meet the following criteria, the Planning Commission may allow for a lesser setback of XXX: vacant land over five (5) acres in size, land zoned Industrial or Commercial, parcels where any structure is setback more than five hundred (500) feet from property lines. If the setbacks are lessened, this amount shall be applied to further increase the seventy-five (75) foot setback.

As a reminder the Committee suggested the following two changes (***in bold italics***) for Planning Commission consideration as well.

- H. Proposed landscaping and screening/buffering plan to include any plans for extraction and reclamation of any disturbed soils and provisions for grading, re-vegetation, and stabilization that will minimize soil erosion. **As such, site disturbance including but not limited to, grading, cut and fill, soil removal, excavation and soil compaction, shall be minimized; soil removal shall be prohibited.**
- J. Abandonment and Decommissioning: A Large Solar Energy System shall be decommissioned following the operational life of the project or at which time it remains non-operational for a period of six (6) months and is considered abandoned. The applicant shall submit a Decommissioning Plan, prepared by a Licensed Professional Engineer, with the Conditional Use Permit application. The Decommissioning Plan shall include, but not be limited to, steps to remove the system, dispose of or recycle its components, restoration of the land and an estimated cost schedule to meet the requirements as follow: The owner/operator of the Large Solar Energy System is required to remove all equipment, conduit, structures, fencing, roads and building foundations, including any equipment or materials below-grade, offsite for disposal. Upon removal, the ground must be restored to its original condition and the site shall be revegetated to blend with the existing surrounding vegetation. The ground must be restored within six (6) months of abandonment or decommissioning. **For agricultural lands, this explicitly entails restoration of the soils to their original USDA classification, as confirmed by a soil survey conducted in accordance with standards of the National Cooperative Soil Survey.**

The next Zoning Ordinance Committee meeting is May 22<sup>nd</sup> at 3:00 pm.

DCA-3-18-2 will be on the Planning Commission agenda for their June 5<sup>th</sup> meeting at 7:00 pm

As always, please feel free to contact myself or Brandy Hatt with any questions or concerns.