

**BLUMFIELD TOWNSHIP  
SAGINAW COUNTY, MICHIGAN**

**ORDINANCE NO. 2023-1**

**Adopted: \_\_March 2, 2023\_\_**

**Effective: Eight (8) Days Following  
Publication After Adoption**

An Ordinance to amend the Blumfield Township Zoning Ordinance adopted on January 13, 2015, as amended, commonly referred to as the Blumfield Township 2015 Zoning Ordinance, to revise Table 3-2 and Table 3-3 of Article 3 regarding the authorization of solar energy systems; to revise Section 7.29 regarding site development requirements for solar energy systems; and to revise and insert certain terms and corresponding definitions in Article 21 regarding “solar energy systems,” “metes and bounds,” and “tract of land.”

**THE TOWNSHIP OF BLUMFIELD,  
SAGINAW COUNTY, MICHIGAN  
ORDAINS:**

**SECTION 1**

The Blumfield Township 2015 Zoning Ordinance is amended by the deletion of Line 7 and Line 8 under “Other Uses Not listed Above” in Table 3-2 of Article 3, and Footnote 3 of the same Table, regarding solar energy systems.

**SECTION 2**

The Blumfield Township 2015 Zoning Ordinance is amended by the deletion of Line 6 and Line 7 under “Other Uses Not listed Above” in Table 3-3 of Article 3, regarding the authorization of Medium and Large Solar Energy Systems, and the insertion of new Line 6 and Line 7 in their place, to read as follows:

	PRINCIPAL USES	ZONING DISTRICTS <sup>1</sup>		
		B-1	B-2	I-1
	<b>Other Uses Not Listed Above<sup>1</sup></b>			
6	Solar Energy Systems, Medium. .	_4	_4	BR <sup>4</sup>
7	Solar Energy Systems, Large.	_4	_4	S <sup>4</sup>

**SECTION 3**

The Blumfield Township 2015 Zoning Ordinance is amended by the deletion of Footnote 4 of Table 3-3 of Article 3, regarding Small and Medium solar energy systems, and the insertion of a new Footnote 4 to read as follows.

“4. See Sec. 7.29 regarding authorization of “Small” and “Medium” Solar Energy Systems accessory to businesses and other facilities.”

## SECTION 4

The Blumfield Township 2015 Zoning Ordinance is amended by the deletion of Section 7.29 regarding solar energy systems and the insertion of the following new Section 7.29 in its place:

### **“Section 7.29 Solar Energy Systems**

**A. Definitions:** For the purpose of this Section and Ordinance, the following phrases shall have the following corresponding definitions.

1. **Solar Energy System (SES):** A system consisting of a device or combination of devices, structures or parts thereof, that collect, transfer or transform solar radiant energy into thermal, chemical or electrical energy, excluding systems that substantially rely on mirrors or similar technologies to focus solar radiant energy onto a considerably smaller area and are sometimes referred to as “concentrated solar power” systems or “CSP” systems.
  - a. **Small Solar Energy System (Small SES):** A solar energy system that relies on roof mounted and/or ground mounted collection systems that occupy no more than eight hundred (800) sq. ft. of combined roof and/or land area, including access aisles between solar panels. A Small SES is typically intended to principally serve a single residential unit, agricultural operation or other business.
  - b. **Medium Solar Energy System (Medium SES):** A solar energy system that relies on roof mounted and/or ground mounted collection systems that occupy more than eight hundred (800) sq. ft. but not more than ten thousand (10,000) sq. ft. of combined roof and/or land area, including access aisles between solar panels. A Medium SES is typically intended to produce energy for use principally in association with multiple dwellings and/or businesses on a single lot on which the system is located and/or for use by off-lot properties and persons including in association with energy utility providers.
  - c. **Large Solar Energy System (Large SES):** A solar energy system that relies on roof mounted and/or ground mounted collection systems that occupy more than ten thousand (10,000) sq. ft. of combined roof and/or land area, including access aisles between solar panels. A Large SES is typically intended to produce energy for use principally in association with multiple dwellings and/or businesses on a single lot on which the system is located and/or for use by off-lot properties and persons including in association with energy utility providers.
2. **Ground-Mounted SES:** An SES that relies on solar panels independently supported from the ground by poles or similar support systems and is not attached or otherwise supported by a building.
3. **Roof-Mounted SES:** An SES that is directly attached to or is otherwise supported by the roof of a building including framing extending from the roof to support panels attached to the framing.
4. **Solar Collection Panels:** Panels and tiles comprised of semiconductor devices and typically referred to as photovoltaic cells, which collect and convert solar energy directly into electricity. Ground mounted solar collection panels are panels attached to the ground by a pole, metal frame or other similar support structure.
5. **Solar Glare:** The effect produced by light reflecting from a solar panel with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**B. Compliance with Table 3-4:** Small and Medium SES shall comply with the accessory structures provisions of Section 20.8 except as provided otherwise by this Section. Large SES shall comply with the standards of Table 3-4 except as provided otherwise by this Section.

### **C. Small Solar Energy Systems (Small SES)**

1. **Small SES Authorization, Review and Approval Procedures:** A Small SES is an authorized accessory structure in all districts. Small SES shall be subject to Zoning Administrator approval. An application for a Small SES need not include a site plan prepared according to Article 14 but the application shall include all information required for a plot plan according to Section 2.4(B), in addition to the delineation of all SES structures and facilities, and all structures on adjacent properties within one hundred (100) feet of a shared lot line.
2. **Small SES General Provisions:**
  - a. Small SES collection panels shall be placed such that concentrated solar radiation or solar glare shall not be directed onto nearby properties and public roads. The applicant shall submit documentation to verify compliance with this section. When deemed necessary, the Zoning Administrator may require a report from a registered civil engineer or other professional deemed qualified by the Zoning Administrator, attesting to the glare and radiation impact on nearby properties and public roads.
  - b. Solar energy panels shall be installed, maintained, and used only in accordance with the manufacturer’s directions. Upon request by the Zoning Administrator, a copy of the manufacturer’s installation instructions and construction specifications and details shall be provided.

- c. A Small SES shall provide electrical power to only the lot on which the SES is located. No Small SES shall serve more than one (1) dwelling unit, agricultural operation or other principal use of the lot on which the SES is located.
  - d. A Small SES shall not be located on a lot less than one (1) acre in area.
  - e. A Small SES shall conform with all applicable industry standards including those of the American National Standards Institute (ANSI).
  - f. A Small SES shall conform with all applicable local, state, and federal standards and requirements including electrical and building codes.
  - g. No portion of a Small SES shall be used for advertising purposes.
3. Small SES Roof-Mounted Systems
- a. Small SES roof-mounted systems may exceed the maximum height standard for the structure to which it is attached according to the district in which it is to be located, but no portion of the system shall extend more than five (5) feet above the roof surface to which it is attached directly below. Small SES roof-mounted systems shall be set back from roof edges a minimum of two (2) feet.
4. Small SES Ground-Mounted Systems
- a. Small SES ground-mounted collection panel systems and associated equipment shall comply with the standards for accessory structures for the district in which the panels are to be located except that in no case shall the panels be set back less than twenty-five (25) feet from a lot line and exceed ten (10) feet in height as measured from the ground below.
  - b. In the case of a ground mounted solar panel(s) located on a lot that is adjacent to a lot in an Agricultural or Residential District, where the panels are to be located within one hundred (100) feet of a shared lot line with such lot, the panels shall be screened from view from such lot. The screening shall consist of one (1) evergreen tree per twenty (20) linear feet of panel length and such trees shall be spaced no greater than twenty-five (25) feet apart measured on-center. Trees shall be a minimum height equal to fifty percent (50%) of the height of the panel(s). Required screening need not be in the immediate area of the panels that the plantings are intended to screen if the planting locations provide for the intended screening effect. No tree shall be located within five (5) feet of a lot line. All plant material shall be maintained in a healthy condition to provide the necessary screening, shall be permitted to grow according to its natural habit, and shall be replaced upon death or disease.
    - 1) The Zoning Administrator may permit a maximum fifty percent (50%) reduction in the number and size of tree plantings where the adjacent property is vacant and not likely to be developed within the next five (5) years based on nearby development trends during the preceding five (5) years, where natural features are present that serve to assist in the screening of the panel(s) such as existing topographic or vegetative conditions, where existing structures will assist in the screening of the panel(s), and/or where other conditions may be present that make typical screening requirements ineffective or otherwise unnecessary.
  - c. If a ground mounted Small SES ceases to operate or is abandoned for six (6) months, or is deemed by the Building Inspector to be unsafe or not consistent with the building code, the applicant shall repair and restore the system to good working order within a reasonable time set by the Zoning Administrator, not to exceed ninety (90) days. Failure to comply with this requirement shall require the removal of the system in its entirety including posts, equipment, panels, foundations and other features and restore the ground to its preconstruction state, within ninety (90) days of notification by the Zoning Administrator.

**D. Medium Solar Energy Systems (Medium SES)**

1. Medium SES Authorization, Review and Approval Procedures: A Medium SES is permitted as an accessory use only and shall only serve the principal use of the lot on which the SES is located. In addition to the information required by Article 14, the following additional information and actions shall be part of a Medium SES application:
- a. A narrative description of the proposed project and construction schedule.
  - b. The location, grades, and dimensions of all temporary and permanent on-site access roads.
  - c. The submittal of an emergency response plan, prepared in consultation with local emergency services, which includes all means of shutting down the SES facility and the manner that such measures shall be clearly marked.
  - d. The contact information for a responsible person to address public inquiries throughout the life of the facility.
  - e. The SES owner or operator shall provide a copy of the project summary, electrical schematics, and site plan, to the local fire chief for review and comment.
  - f. The submittal of a maintenance plan that:

- 1) Demonstrates that the SES will be designed, constructed, and operated to minimize dust generation, including during construction.
  - 2) Delineates the manner how unpaved access roads will be treated and maintained for dust control.
  - 3) Measures that will be employed to maintain and promote native vegetation while minimizing the proliferation of weeds during and following construction.
2. Medium SES General Provisions
- a. No above-ground portion of a Medium SES shall be in a front yard and such above-ground features shall comply with the side and rear yard setback standards of Table 3-4 of Article 3.
  - b. Through locationing or other mitigation measures, solar glare shall not be directed onto nearby properties and public roads so as to cause nuisance conditions. The applicant shall submit documentation to verify compliance with this section, prepared by a registered civil engineer or other professional deemed qualified by the Planning Commission. If an SES subsequently results in nuisance glare conditions, effective mitigation measures shall be employed within thirty (30) days of notification by the Zoning Administrator.
    - 1) The design and construction of the SES shall not produce glare, either direct or indirect (reflective), that can be expected to interfere with pilot vision and /or air traffic control operations. If an SES subsequently results in nuisance glare, mitigation measures shall be employed within thirty (30) days of notification by the Zoning Administrator.
  - c. All SES panels and accessory equipment and facilities shall be located to minimize visibility from beyond the lot line of the lot on which the SES is located, to the greatest extent practical without undermining solar access to the panels.
  - d. Solar energy panels shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request by the Zoning Administrator, a copy of the manufacturer's installation instructions and construction specifications and details shall be provided.
  - e. A Medium SES shall provide electrical power to only the lot on which the SES is located. No Medium SES shall serve more than one (1) dwelling unit, agricultural operation, or other principal use of the lot on which the SES is located.
  - f. A Medium SES shall not be located on a lot less than one (1) acre in area.
  - g. A Medium SES shall conform with all applicable industry standards including those of the American National Standards Institute (ANSI).
  - h. A Medium SES shall conform with all applicable local, state, and federal standards and requirements including electrical and building codes.
  - i. No portion of a Medium SES shall be used for advertising purposes.
3. Medium SES Roof-Mounted Systems: A roof-mounted Medium SES may exceed the maximum height standard for the structure to which it is attached according to the district in which it is to be located, but no portion of the system shall extend more than five (5) feet above the roof surface to which it is attached directly below. Medium SES roof-mounted systems shall be set back from roof edges a minimum of two (2) feet.
4. Medium SES Ground-Mounted Systems
- a. Ground-mounted medium SES solar collection panels are prohibited in a front yard and shall be setback from all property lines the same distance as required for the principal building on the property. Such setback shall be a minimum of one hundred (100) feet where the respective yard is adjacent to a lot in an Agricultural or Residential District.
  - b. Ground-mounted solar collection panels shall not exceed twelve (12) in height except that the maximum height shall be fifteen (15) feet in Commercial and Industrial Districts.
  - c. No topsoil shall be removed from any lot as part of the SES construction phase and during the operational life of the facility.
  - d. Fencing of a minimum height of six (6) feet but not to exceed eight (8) feet shall be erected to prohibit access by the public to all portions of the SES facility. All SES facilities shall be within the fenced area and shall be set back a minimum distance of twenty-five (25) feet from such fence.
  - e. No construction shall be initiated prior to the Zoning Administrator receiving approvals from county and state agencies having jurisdiction, as applicable, including Saginaw County Road Commission approvals for SES driveway curb-cuts along public roads, Saginaw County Drain Commissioner approvals for runoff discharge and erosion control, and Michigan Department of Environment, Great Lakes, and Energy approvals for wetland modifications.
  - f. Screening of ground-mounted panels shall be provided as required for Small SES, according to subsection (C), except that in the case of ground mounted solar panel(s) located on a lot that is adjacent to a lot in an Agricultural or Residential District, where the panels are to be located within two hundred (200) feet of a shared lot line with such lot, a double-row of evergreen tree plantings shall be provided and positioned in relation to one another to provide the greatest degree of

screening. In addition, evergreen trees shall be of a minimum height at the time of installation as the height of the proposed solar panels. All plant material shall be maintained in a healthy condition to provide the necessary screening, shall be permitted to grow according to its natural habit, and shall be replaced upon death or disease.

- g. If a ground mounted Medium SES ceases to operate or is abandoned for six (6) months, or is deemed by the Building Inspector to be unsafe or not consistent with the building code, the applicant shall repair and restore the system to good working order within a reasonable time set by the Zoning Administrator or otherwise remove the system in its entirety including posts, equipment, panels, foundations and other features and restore the ground to its preconstruction state.
- h. In the event that there is a change in the ownership of the Medium SES, the new owner shall contact the Township Clerk within thirty (30) days of the change in ownership to schedule a meeting with the Township Board to review all requirements of the approval for the SES including any conditions of approval.
- i. Decommissioning/Reclamation: A Medium SES application shall include a decommissioning and reclamation plan that shall address, at a minimum, the anticipated life of the project, the manner in which all structures and equipment shall be disassembled and removed from the lot, and the manner in which the lot shall be returned to its pre-existing state including revegetation.
- j. Performance Guarantee Requirements
  - 1) Prior to the issuance of a Medium SES permit, the applicant shall engage a licensed professional engineer to estimate the total cost of decommissioning the Medium SES and reclamation efforts to return affected land back to its physical condition prior to construction. Said estimates shall be submitted to the Township for review.
  - 2) Prior to the issuance of a Medium SES permit, the applicant shall post a performance guarantee in a form acceptable to the Township, equal to one hundred percent (100%) of the total estimated decommissioning and reclamation costs. Decommissioning and reclamation costs shall be re-evaluated and the value of the bond shall be adjusted accordingly every five (5) years.
  - 3) Said performance guarantee shall be posted and maintained with a bonding company licensed in the State of Michigan or Federal or State chartered lending institution chosen by the owner(s) or operators and acceptable to the Township.
  - 4) An applicant shall maintain the approved performance guarantee for the duration of the SES operations, until decommissioning and removal is complete. The performance guarantee documents shall prohibit the applicant from terminating or withholding renewal of the performance guarantee except upon written approval from the Township Clerk. The termination or non-renewal of a performance guarantee without the Township's approval shall be a violation of this Ordinance and the Township may revoke approval of the SES, require its removal, and/or exercise any other authority permitted by law.
  - 5) The performance guarantee provisions of Section 2.6 shall apply except where otherwise modified by this subsection.

#### **E. Large Solar Energy Systems (Large SES)**

- 1. Large SES Authorization, Review and Approval Procedures: Large SES are an authorized permitted use according to Tables 3-2 and 3-3. Large SES shall be subject to the special land use review and approval provisions of Article 15.
  - a. In addition to the information required by Articles 14 and 15, and the information required for Medium SES applications according to subsection (D)(1), an application for a Large SES shall include an operations, maintenance, and emergency plan. Such plan shall delineate, at a minimum, the manner in which access to the facility shall be managed, typical day-to-day operations including the presence of personnel at the facility and tasks to be performed, the nature and frequency of maintenance operations, and procedures for emergency conditions including emergency shutdown of the facility.
- 2. Large SES General Provisions: Large SES shall comply with the site development standards of subsection (D) for Medium SES except as follows:
  - a. A Large SES may provide electrical power to only the lot on which the SES is located, or to multiple lots including lots on which no portion of the SES is located, or to the general utility network or utility providers.
  - b. Solar collection panels shall be setback from all property lines a minimum distance of one hundred fifty (150) feet.
  - c. No Large SES shall be established on a lot less than twenty (20) acres in area.
  - d. Signs shall be located at the base of all ground mounted transformers and substations providing appropriate warning of high voltage and emergency contact information. Similar signs shall be posted at all facility and building entrances.

- e. No substation shall be located closer than one hundred fifty (150) feet to a property line of a lot not otherwise part of the Medium SES, except that in the case of a substation more than 30,000 sq. ft. in area, the minimum setback shall be increased to four hundred (400) feet.

**F Self-Contained Solar Energy Systems:** Solar energy systems that do not exceed four (4) square feet in total solar collector panel area, intended to provide energy to operate a device to which such panel is attached such as in the case of a panel powering an exterior light or an attic fan, are permitted in all districts and may be erected without the issuance of a zoning permit.

1. Setbacks: Self-contained solar energy systems shall comply with the setback restrictions applicable to accessory structures in the respective District.
2. Heights: Self-contained solar energy systems shall comply with the height restrictions applicable to accessory structures in the respective District except that in the case of a roof-mounted system, no portion of the system attached to the roof shall exceed three (3) feet above the roof surface below.”

### **SECTION 5**

Article 21 of the Blumfield Township 2015 Zoning Ordinance is amended by the deletion of the phrase “Solar Energy System (SES)” and corresponding definition, and the subsection (a) through (f) phrases and corresponding definitions, and the insertion of the following in their place:

“Solar Energy System (SES): See Section 7.29 regarding definitions related to solar energy systems.”

### **SECTION 6**

Article 21 of the Blumfield Township 2015 Zoning Ordinance is amended by the insertion of the following phrases and corresponding definitions:

“Tract of Land: A portion of property defined by a number assigned by the County Equalization Department.”

“Metes and Bounds: A system that is used in real estate to identify the physical features and boundaries of a piece of parcel. Metes and bounds are often used in a “legal description” of land. Legal description is the geographical description of a land that identifies its precise location and is kept with the deed of the land.”

### **SECTION 7**

The remaining provisions of the Blumfield Township 2015 Zoning Ordinance are hereby ratified and reaffirmed.

### **SECTION 8**

In the event that any provision of this amending ordinance is held to be unconstitutional or void for any reason by a court of competent jurisdiction, that provision shall be struck from the amendment and severed and the remaining provisions shall be enforced according to their terms and provisions.

### **SECTION 9**

This amendment ordinance shall be effective eight (8) days after adoption and publication as provided by law.

**CLERK'S CERTIFICATION**

I, Lisa Roethlisberger, the duly appointed, qualified and acting Clerk of the Township of Blumfield, Saginaw County, Michigan, hereby certifies that the foregoing Amendment Ordinance amending the Blumfield Township 2015 Zoning Ordinance, was adopted at a regular meeting of the Township Board, held at Blumfield Township Office in Blumfield Township, Michigan on the 14th day of February, 2023 at which a quorum was present and voted. I further certify that Daenzer moved the adoption of the ordinance, supported by Huber, and that the vote on the said proposed ordinance was: Yeas 5 Nays 0 .

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Lisa Roethlisberger, Blumfield Township Clerk 2/14/2023  
Date