

- A. Solar Energy Systems (SES) intended to serve a single residential unit, multi-residential unit, or small business that occupies no more than one (1) acre of land or 43,560 sq ft of roof surface can be located in the following districts:

ALL (R-1, R-2, R-3, R-4, C-1, C-2, C-3, I, OS, PL, RP, AP, RR, LS/R, LS/R-2, TD)

Height, setback, and noise requirements applicable to the zoning district the SES is to be installed. Net metering and onsite energy storage is allowed in all districts.

Permitted: Exempt

- B. Solar Energy Systems (SES) which occupy more than one (1) acre of land or 43,560 sq ft of roof surface but less than ten (10) acres where energy collected is not for sale can be located in the following districts:

C-1, C-2, C-3, I, PL, RP, AP, TD

Height, setback, noise, and health/safety requirements applicable to the zoning district where the SES is to be installed. Net metering and onsite energy storage is allowed in the above districts.

Permitted: Accessory Use

- C. Utility-Scale Solar Energy Systems intended to supply energy to the grid for profit. Installations rely on existing energy distribution infrastructure. Multiple projects owned or leased by an individual, company, agency, or municipality sited on proximate land are considered one project, submitted as a single site plan. Allowed in the Solar Energy Overlay District, brownfield land, and capped or abandoned landfills. Utility-scale development outside of the Solar Energy Overlay District requires a conditional use permit and is subject to land use review and site plan approval.

Not allowed in the following districts: R1, R2, R3, R4, LS/R, LS/R 2, RR

Permitted: With the following requirements:

Requirements:

- a. Solar panels and other structures shall be setback a minimum of sixty (60') from public road rights-of-way and not be located within a fifty (50') feet of a drain easement. Solar panels and other structures along the Lake Michigan shoreline, rivers, streams, and/or inland lakes will meet the requirements of the underlying zoning district. In addition, solar panels and other structures must be located at least two hundred (200') feet from all non-participating residential property and all non-participating lot lines.
Non-participating neighboring properties may elect to opt out of or create less restrictive setback requirements, in which case written, signed, notarized consent must be included in the site plan documents and registered with the Delta County Register of Deeds.
- b. The maximum height for a solar panel shall be twenty-one (21') feet oriented at maximum tilt. The maximum height of a switching station shall not exceed the minimum height needed to tie into electrical transmission lines. The height of all other buildings and accessory structures shall comply with the maximum building height requirements of the applicable zoning district in which the SES is located. The height of lightning rods shall be limited to the height necessary to protect the switching station and shall not be lighted.
- c. Lighting shall be limited to the minimum necessary, directed downward, and set with motion-sensors. No lighting will extend beyond the perimeter of the SES.
- d. No SES shall produce glare that would constitute a nuisance to occupants of neighboring properties or to persons traveling public roads.
- e. Tree clearing is allowed in the following circumstances: Isolated trees in fields and pastures, linear wind breaks, and monoculture tree plantations.
- f. Any SES that borders existing residential properties will provide a property value study conducted by a qualified third-party valuation advisory service.

Neighboring residential property owners may elect to forgo a property value study, in which case a signed and notarized letter is required in site plan documents.

- g. Screening is not required except where panels will be adjacent to non-participating properties. *Non-participating properties may elect to have no screening, in these cases, a notarized written statement from non-participating properties is required and registered with the Delta County Register of Deeds.*

The applicant shall work with individual neighbors to arrange for effective, commercially reasonable screening that will be maintained for the life of the project. Earthen berms are discouraged due to the destructive nature of stripping nearby land of topsoil and increased potential for erosion.

- h. All fencing will meet National Electrical Code requirements.
- i. Revegetation or other means of controlling runoff and erosion required. Vegetation will consist of native Upper Peninsula shrubs, grasses, sedges, and/or flowers. Requires submission of both storm water and erosion/sediment control plans to comply with federal and state environmental regulations.
- j. No SES shall produce noise that exceeds forty (40) dBA, as measured at any neighboring property line.
- k. Any development that may impact groundwater will be compliant with all EGLE and Health Department regulations.
- l. Any development will minimize or eliminate negative impacts on wildlife, including overflight migrating birds and riparian zones, and provide on-going monitoring by an independent organization when impacts to wildlife are identified. Post-construction monitoring will determine ongoing impacts to wildlife. Study results shall be made available to the public.
- m. Livestock grazing within a fenced SES is permitted, subject to requirements of the applicable underlying zoning district as it relates to livestock.
- n. No solar panels or associated equipment or buildings shall be used for advertising.
- o. Provide a project summary for site plan review that contains the size, rated power output, performance, safety, and characteristics of the system. Identify timelines, project life, development phases, and possible future expansions. Provide the name and contact information of the certified operator, inspection protocol, emergency proceedings, and general safety (including fire safety) documentation.
- p. Provide a detailed decommissioning plan addressing the project's estimated duration period, how features shall be removed, and the way the site shall be reclaimed to its former condition. The decommissioning plan shall include a detailed description of the financial security such as a surety bond, letter of credit, escrow account, reserve fund, parent guarantee, or other suitable financial mechanism guaranteeing removal of the system. Such financial security shall be posted within one (1) year of the commercial operations date and signed by the Delta County Board of Commissioners or a specified representative. The amount of the guarantee shall be no less than the estimated cost of removal and may include provision for inflationary cost adjustments. The estimate shall include estimated hours and costs for labor and equipment.

Solar Energy Overlay District: This overlay district is specific to Utility Scale Solar Energy Systems and requires energy transport through infrastructure transmission lines. This district runs parallel to infrastructure transmission electrical lines located in Delta County and extends perpendicular from the center of the lines 1.5 miles in both directions, effectively creating a 3-mile-wide corridor. Federally listed brownfield lands (including capped landfills) are included in the Solar Energy Overlay District even when located outside of the 3-mile-wide corridor. This exception is granted to encourage development of lands with very limited use. Other exceptions may be granted outside of the Solar Energy Overlay District via a Generator Tie-Line subject to a Conditional Use Permit.