

WATERTOWN TOWNSHIP

ORDINANCE NO. 2024-5

AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 2022-1 REGARDING SOLAR ENERGY SYSTEMS TO COMPLY WITH PA 233

The Township of Watertown ordains:

Section 1. Addition of New Subsection J(22) to Ordinance No. 2022-1, as amended.

Watertown Township Ordinance No. 2022-1, as amended on September 3, 2024, is further amended by the addition of a new subsection 22 to Section J, which reads in its entirety as follows:

22. Large Solar Energy Systems under PA 233: On or after November 29, 2024, once PA 233 of 2023 is in effect, then the following provisions apply to any Large Solar Energy System (SES-L) with a nameplate capacity of 50 megawatts or more. To the extent the following provisions conflict with the provisions in Sections A-L, these provisions control as to any SES-L with a nameplate capacity of 50 megawatts or more. All provisions in Sections A-L that do not conflict with this subsection J(22) remain in full force and effect. The following provisions do not apply if PA 233 of 2023 is repealed, enjoined, or otherwise not in effect, and do not apply to any SES-L with a nameplate capacity of less than 50 megawatts.

A. Setbacks. An SES-L must comply with the following minimum setback requirements, with setback distances measured from the nearest edge of the perimeter fencing of the facility:

Setback Description	Setback Distance
Occupied community buildings and dwellings on nonparticipating properties	300 feet from the nearest point on the outer wall
Public road right-of-way	50 feet measured from the nearest edge of a public road right-of-way
Nonparticipating parties	50 feet measured from the nearest shared property line

B. Fencing. Fencing for the SES-L must comply with the latest version of the National Electric Code as of November 29, 2024, or as subsequently amended.

C. Height. Solar panel components must not exceed a maximum height of 25 feet above ground when the arrays are at full tilt.

D. Noise. The SES-L must not generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute.

E. Lighting. The SES-L must implement dark sky-friendly lighting solutions.

2024 DEC - 3  
FILED  
COUNTY CLERK  
SANDUSKY MI

- F. Environmental Regulations. The SES must comply with applicable state or federal environmental regulations.
- G. Host Community Agreement. The applicant for a special land use permit for an SES-L shall enter into a host community agreement with the Township. The host community agreement shall require that, upon commencement of any operation, the SES-L owner must pay the Township \$2,000.00 per megawatt of nameplate capacity. The payment shall be used as determined by the Township for police, fire, public safety, or other infrastructure, or other projects as agreed to by the Township and the applicant.

**Section 2. Severability and Validity.**

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

**Section 3. Repealer.**

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 4. Effective Date.**

This Ordinance takes effect upon the expiration of 7 days after publication as required by MCL 125.3401(7).

Approved the 21st day of November, 2024.

Scott Kenny  
Scott Kenny, Supervisor

Tammy Ross  
Tammy Ross, Clerk

COUNTY CLERK  
 SANDUSKY MI  
 FILED  
 2024 DEC -3 AM 10:08

I, Tammy Ross, Clerk of Watertown Township, Sanilac County, Michigan, do hereby certify that Ordinance No. 2024-5 was published in the Triune Recorder on the 27 day of November, 2024.  
LEADER

Tammy Ross  
Tammy Ross, Clerk

I, Tammy Ross, Clerk of Watertown Township, Sanilac County, Michigan, do hereby certify that Ordinance No. 2024-5 was filed with the Sanilac County Clerk on the 3 day of December, 2024.

Tammy Ross  
Tammy Ross, Clerk