

FLUSHING CITY ORDINANCE
GENESEE COUNTY, MICHIGAN

ORDINANCE NUMBER 2018-05

AN ORDINANCE TO AMEND SECTIONS 153.202 DEFINITIONS; 153.311 SCHEDULE OF USES; 153.901 CORRESPONDING STANDARDS; AND EFFECTIVE DATE.

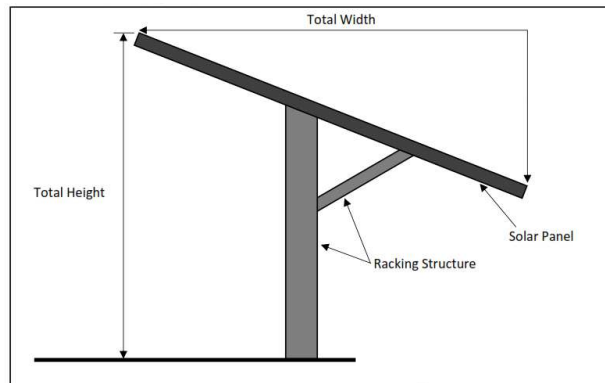
THE CITY OF FLUSHING ORDAINS:

Section 1. Amendment. Section 153.202 (Definitions) of Chapter 153 of the Municipal Code of the City of Flushing is hereby amended to add the following:

Solar Energy Collector: A panel or panels and or other devices or equipment, or any combination thereof, that collect, store, distribute and or transform solar, radiant energy into electrical, thermal or chemical energy for the purpose of generating electric power or other form of generated energy for use in or associated with a principal land use on the parcel of land on which the solar energy collector is located and if permitted for the sale and distribution of excess available electricity to an authorized public utility for distribution to other lands.

Building Mounted Solar Energy Collector: A solar energy collector attached to the roof or wall of a building or which serves as the roof or wall in whole or in part of the building.

Commercial Solar Energy Collector: A utility facility of solar energy collectors, which is not attached to and is separate from any building on the parcel of land, with the primary purpose of wholesale or retail sales of generated electricity.



Section 2. Amendment. Section 153.311 (Schedule of Uses) of Chapter 153 of the Municipal Code of the City of Flushing is hereby amended to add the following:

Building Mounted Solar Energy Collector is a permitted use in the following zoning districts meeting standard #59:

Single Family Residential / Two Family Residential
Multi Family Residential / Multi Family Residential Overlay
High Density Residential / Local Business / General Business
Heavy Business / Central Business / Office Service / Industrial

Commercial Solar Energy Collector is a special use in the following zoning district meeting standard #59:

Industrial

Section 3. Amendment. Section 153.901 (Corresponding standards) of Chapter 153 of the Municipal Code of the City of Flushing is hereby amended to add the following:

- (59) a. All solar energy collectors shall be in compliance with the International Fire Code and be inspected by the fire department.
- b. The installation of all solar energy collectors shall be in compliance with Chapter 54 – Stormwater Management.
- c. Solar energy collectors shall be in compliance with, permitted under the Michigan Building and Electrical code and be inspected by the Building Official.
- d. All solar energy collectors shall have tempered non-reflective surfaces.
- e. All solar energy collectors shall be fitted with an automatic shut off or breaker switch to isolate the panels in case of fire as approved by the fire department and permitted under the electrical code.
- f. Commercial solar energy collectors shall be in compliance with Article 8. – Landscape Standards. A fence shall be required meeting Section 153.1406 – Industrial Fence Construction; Restrictions. Such fence shall not have barb wire.
- g. Building mounted solar energy collectors shall be permanently attached to the principle structure. The building mounted solar energy collectors shall not exceed 25% of available coverage, excluding windows, skylights and doors, on the rear roof and rear wall combined and or have a rated output of 13.44 KW or more. Requests for 100% coverage of a principle structure's rear roof meeting all standards, eliminates the ability to install such collectors on the rear wall of the principle structure.

h. Principle structures with solar energy collectors shall be in compliance with Article 4. - Schedule of Regulations.

1. Building mounted solar energy collectors shall not project higher than the building roof height.
2. Building solar energy collectors shall not be located within 3 feet of any peak, eave or valley to maintain adequate accessibility.
3. Commercial solar energy collectors shall not exceed 9 feet in height measured from the ground at the base of such equipment.

i. Commercial solar energy collectors shall be required to plant and maintain native ground covers on site during the operation until the site is decommissioned; excluding 10 foot wide drives to access such collectors.

j. Commercial solar energy collectors shall submit a financial guarantee in the form of a letter of credit or bond in favor of the municipality equal to 125 percent of the costs to return the site to green space. The financial guarantee shall remain in effect until the operation is decommissioned, solar energy collectors are removed and vegetation is sufficiently established.

1. A site restoration plan shall be required and includes provisions for removal of all structures, foundations, electrical equipment and internal or perimeter access roads and restoration of soil and vegetation.

2. Decommissioning of such systems shall occur in the event it is not in use for 12 consecutive months.

k. Shall provide verification from the electrical utility that infrastructure exists to transport the electricity generated into the larger grid system.

l. Power and communication lines to electric substations or interconnections shall be buried underground. The Planning Commission reserves the right to grant an exception to this requirement due to shallow bedrock, water courses or other elements of the natural landscape and or required by the utility company.

m. Shall provide manufacturer's specifications and recommended installation and removal methods for all major equipment making up the solar energy collector system.

Section 3. Amendment. Section 153.311 (Schedule of Uses) of Chapter 153 of the Municipal Code of the City of Flushing is hereby amended to remove the following:

Body Art Facilities as a special use in the B-1 Local Business District

Section 4. Effective Date. This Ordinance shall be effective twenty (20) days after adoption and after publication.

Public Hearing Planning Commission: July 2, 2018

First Reading: July 9, 2018

Second Reading: August 13, 2018

Date Published: April 16, 2018

Date Effective: September 2, 2018

The City of Flushing

Kevin J. Keane, Mayor

Michelle M. King, City Clerk