

**TENTATIVE TEXT OF PROPOSED AMENDMENTS OF PRAIRIE RONDE
TOWNSHIP ZONING ORDINANCE PERTAINING TO ELECTRICITY GENERATING
FACILITIES**

For public hearing at October 15, 2024 Planning Commission meeting

Introduction

Changes in state law (2023 Public Act 233 and 234) affect the zoning authority of the Township over the siting of certain types of energy facility land uses. The new state law has the effect of preempting zoning authority over a solar energy electricity generating facility with a nameplate capacity of 50 megawatts or more, unless the Township chooses to adopt and administer a “compatible renewable energy ordinance” pursuant to the new state law, which the Township has opted to not do. The first of the following three proposed amendments is intended to align with the new state law the existing definition of the term Utility-Scale Solar Energy Electricity Generating Facility in the Prairie Ronde Township Zoning Ordinance. The second and third proposed amendments are intended to clarify that the terms Essential Services and Public Utility Service Facilities as defined in the Zoning Ordinance are not intended to include any electricity generating facility.

Format note: any existing verbiage proposed to be deleted is shown lined-through; proposed new verbiage is shown in bold type.

ITEM 1

**Proposed amendment of definition of “Utility-Scale Solar Energy Electricity
Generating Facility”**

Section 2.2 (Definitions) is proposed to be amended to change the existing definition of the term “Utility-Scale Solar Energy Electricity Generating Facility” to read as follows:

“Utility-Scale Solar Energy Electricity Generating Facility: a facility comprised of multiple ground-mounted and/or building-mounted photovoltaic energy collector panels and associated apparatus with a design capacity exceeding 250 Kw or covering a total area exceeding 40,000 sq ft, **but with a designed full-load sustained generating output of less than 50 megawatts, designed and intended to generate electricity exclusively for a public utility power grid, or primarily for a public utility power grid and incidentally for the premises on which the system is located, including for the facility itself. **Note: The zoning authority of the Township with respect to a solar energy electricity generating facility with a designed full-load sustained generating output (nameplate capacity) of 50 megawatts or more was preempted by 2023 Public Act 233.”****

ITEM 2

Section 2.2 (Definitions) is proposed to be amended to change the existing definition of the term “Essential Services” to read as follows:

“Essential Services: the erection, construction, alteration or maintenance by public utilities or public authorities, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wire mains, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, police call boxes, traffic signals, hydrants or other similar equipment and accessories in connection therewith, as shall be reasonably necessary for the furnishing of adequate services by public utilities, or public authorities, including buildings which are primarily enclosures or shelters of the above essential service equipment; but not including other buildings, “public utility service facilities”, or “communication tower” as defined in this Ordinance. **This term is not intended to include any electricity generating facility.”**

ITEM 3

Section 2.2 (Definitions) is proposed to be amended to change the existing definition of the term “Public Utility Service Facilities” to read as follows:

“Public Utility Service Facilities: gas or electric substations, regulator stations, including buildings accessory thereto, and other public utility service buildings or structures not constituting “essential services” as defined in this Ordinance. **This term is not intended to include any electricity generating facility.”**