

MARATHON TOWNSHIP

ORDINANCE NO. 2026-01

Solar Farm Ordinance

An ordinance to amend Sections 19.01 and 19.03 of Article 19 of the Township Zoning Ordinance regarding solar project systems.

THE TOWNSHIP OF MARATHON HEREBY ORDAINS:

Section 1. Amendment of Section 19.01 of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.01 of Article 19 of the Township's Zoning Ordinance by adding the following definitions thereto:

Non-Participating Lot(s): One or more lots for which there is not a signed lease or easement for development of a principal-use associated with the applicant project.

Participating Lot(s): One or more lots under a signed lease or easement for development of a principal-use SES associated with the applicant project.

Principal-Use Solar Energy System: A ground-mounted solar energy system that captures and converts solar energy into electricity, for the purpose of sale or for use in locations other than solely the solar energy system property, and with a nameplate capacity of 50 megawatts or more. A principal-use solar energy system may be located on more than 1 parcel of property, including noncontiguous parcel, but shares a single point of interconnection to the grid. Principal-use solar energy systems with a nameplate capacity of less than 50 megawatts are not permitted.

Repowering: reconfiguring, renovating or replacing an SES to maintain or increase the power rating of the SES within the existing project footprint.

Section 2. Amendment of Section 19.03(A)(5) of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.03(A)(5) of Article 19 of the Township's Zoning Ordinance so that it reads as follows:

5. Land disturbance or clearing shall be limited to what is minimally necessary for the installation and operation of the system and to ensure sufficient all-season access to the solar resource given the topography of the land. Topsoil disturbed during site preparation (grading) on the property shall be retained on site.

Section 3. Amendment of Section 19.03(D)(1) of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.03(D)(1) of Article 19 by adding thereto new subsections (xii) and (xiii) to read as follows:

xii. A stormwater assessment and a plan to minimize, mitigate and repair any drainage impacts at the expense of the applicant. The applicant shall make reasonable efforts

xiii. A report detailing the sound modeling results along with mitigation plans to ensure that sound emitted from the facilities will remain below the statutory limit throughout the operational life of the facilities.

Section 4. Amendment of Section 19.03(D)(1)(viii) of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.03(D)(1)(viii) of Article 19 so that it reads as follows:

viii. **Public Safety.** Identify emergency and normal shutdown procedures. Identify potential hazards to adjacent properties, public roadways and to the public that may be created. A fire response plan and an emergency response plan.

The fire response plan (FRP) shall include:

- Evidence of consultation with local fire department representatives to ensure that the FRP is in alignment with acceptable operating procedures, capabilities, resources, etc. If consultation with local fire department representatives is not possible, provide evidence of consultation with the State Fire Marshal or other local emergency manager.
- A description of all on-site equipment and systems to be provided to prevent or handle fire emergencies. Iii. A description of all contingency plans to be implemented in response to the occurrence of a fire emergency.
- A commitment to review and update the FRP with fire departments, first responders, and county emergency managers at least one every three (3) years.
- An analysis of whether plans to be implemented in response to a fire emergency can be fulfilled by existing local emergency response capacity and recommendations for measures to mitigate deficiencies.

The emergency response plan (ERP) shall include:

- Evidence of consultation with the local first responders and county emergency managers to ensure that the ERP is in alignment with acceptable operating procedures, capabilities, resources, etc.
- An identification of contingencies that would constitute a safety or security emergency (fire emergencies are to be addressed in a separate fire response plan)
- Emergency response measures by contingency;
- Evacuation control measures by contingency;
- Community notification procedures by contingency;
- An identification of potential approach and departures routes to and from the facility site for police, fire, ambulance and other emergency vehicles;

- A commitment to review and update the ERP with fire departments, first responders and county emergency managers at least once every three (3) years.
- An analysis of whether plans to be implemented in response to an emergency can be fulfilled by existing local emergency response capacity and identification of any specific equipment or training deficiencies in local emergency response capacity and any other information the applicants find relevant.

Section 5. Amendment of Section 19.03(D)(2)(iii) of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.03(D)(2)(iii) of Article 19 so that it reads as follows:

iii. **Noise.** The sound pressure level of a large principal-use SES and all ancillary solar equipment shall not exceed 55dBA (Leq (1 hour) at the property line of an adjoining non-participating lot. The site plan shall include modeled sound isolines extending from the sound source to the property lines to demonstrate compliance with this standard.

Section 6. Amendment of Section 19.03(D)(6) of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.03(D)(6) of Article 19 of the Township Zoning Ordinance so that it reads as follows:

Applicants submitting a site plan and conditional use application to Marathon Township for a commercial solar energy system shall deposit \$10,000 with the township in an escrow account to address the costs of professional and legal review of the application. If this fund is expended prior to action being taken on the application, the township may request additional deposits.

Section 7. Amendment of Section 19.03(D) of Article 19 of the Zoning Ordinance.

The Township Board hereby amends Section 19.03(D) of Article 19 by adding thereto a new subsection (7) to read as follows:

7. **Repowering.** In addition to repairing or replacing SES components to maintain the system, a principal-use SES may at any time be repowered, without the need to apply for a new special land use permit by reconfiguring, renovating, or replacing the SES to increase the power rating within the existing project footprint. A proposal to change the project footprint of an existing SES shall be considered a new application, subject to the site plan application requirements and review procedure contained in the Township Zoning Ordinance and in effect at the time of the request. Legal services and other studies resulting

from an application to modify an SES will be reimbursed to the Township by the SES owner in compliance with established escrow policy to alter the footprint of the SES.

Section 8. Deletion of Section 19.03(D)(3) of Article 19 of the Zoning Ordinance.

The Township Board hereby deletes in its entirety Section 19.03(D)(3) of Article 19.

Section 9. Effective date.

This Ordinance shall become effective thirty (30) days after publication.

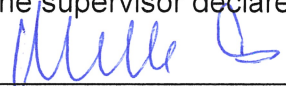
Voting for: Coultas, Hollis and Hogan.

Abstain: Sickner

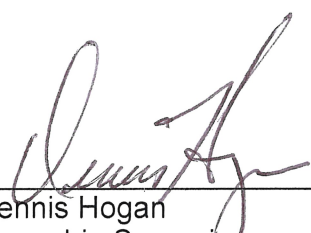
Absent: Church

Voting against: None

The supervisor declared the ordinance adopted.



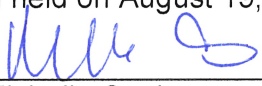
Michelle Coultas
Township Clerk



Dennis Hogan
Township Supervisor

CERTIFICATION

The foregoing is a true copy of Ordinance No. 2026-01 which was enacted by the Marathon Township Board of Trustees at a regular meeting held on August 19, 2026.



Michelle Coultas
Township Clerk