
LATHRUP VILLAGE SOLAR ORDINANCE REVIEW: AMENDED ORDINANCE VERSION

Presented By: Tom the Intern

Facilitated By: The Lathrup Village Planning
Commission



THE ORDINANCE

- Defined Setbacks, Height limits, review processes, decommission processes, recycle processes, safety standards, special requirements for aesthetics and historical buildings, and permitting, amongst others.
 - Was, admittedly, filled with redundancies.
 - Was turned in for review to the University of Michigan Graham Sustainability Institute, and returned on June 12th with amendment recommendations.
 - The ordinance utilized “The Planning & Zoning For Solar Energy Systems Guidebook for Michigan Local Governments” and “The Planning & Zoning for Battery Energy Storage Systems Guidebook for Michigan Local Governments”.
 - The original ordinance draft used the 2024 copy of both books- an amended copy was published in May 2025.
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IMPORTANT NOTE:

- This ordinance is still not ready to be voted on, though it has been amended to reflect the changes recommended by the University of Michigan Graham Institute.
 - It is still a draft. As such, we can still make changes to it before the vote in July.
 - You had a chance to review the ordinance and make recommendations for language changes or to ask questions.
 - If you have any, please wait until the end of this presentation.
 - Any and all changes or amendments you wish to see will be made before the July vote.
 - I will not be presenting the entire ordinance like the May presentation. I will inform you of *some* of the UMGI recommendations.
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CHANGES PLANNING COMMISSION DESIRED

(In no particular order)

- Add language to have contractors show proof of inspections no more than every 2 years, with evidence that shows a need of inspections.
 - Non-streetside facing roof-mounted solar panels with the option of acquiring a variance.
 - Reduce 15' Height requirement to 10' Height Requirement.
 - Add that batteries must be on an exterior wall in the garage if unable to be set in an accessory structure.
 - Ground-Mount safety requirement language.
 - Rules for batteries can only be applied to sites that have them in the first place.
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AMENDMENTS MADE PRIOR TO UM GRAHAM INSTITUTE REVIEW

- Added a provision for repowering of solar panels.
 - After discussions, added that roof-mounted SES panels must match the color of the roof shingles/roofing material.
 - Discussed with Birmingham staff; discovered they amended their solar ordinance to allow for residential solar panels to be on all sides of the house- felt it was too restrictive. Made similar changes.
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CHANGES UM GRAHAM INSTITUTE RECOMMENDED (1/?)

These are also changes we have made to the ordinance. (In no particular order)

- 10' Height requirement on Small Principal-Use Panels is too restrictive. 15' is recommended.
 - Remove Redundancies and amend language in multiple areas.
 - Amending the definition for Energy Storage System (ESS) to Battery Energy Storage System (BESS)
 - Add definitions for On-Site and Off-Site Battery Energy Storage Systems.
 - Redefine Principal-Use SES.
 - Separate Commercial and Residential Zoning Standards across the board to alleviate confusion.
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CHANGES UM GRAHAM INSTITUTE RECOMMENDED (2/?)

- Redefine certain definitions to fit standards of the 2025 Planning and Zoning for Solar Energy Systems Guidebook.
 - Adds Section for Repowering of units with greater detail based on Guidebook Standards.
 - Added a chapter for Building Integrated SES (BISES)
 - Removed section that details demands for proof of recycling of decommissioned/removed material while keeping the standards for decommissioning and removal.
 - Changes Section 6: Aesthetics and Design Guidelines heavily due to redundancies.
 - Remove Glare Mitigation review and replace it, due to international standards changing, no longer requiring the need for such.
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CHANGES UM GRAHAM INSTITUTE RECOMMENDED (3/?)

- Reduce and combine Permitting Requirements and Safety Requirements into other Sections where applicable.
 - Land Use and Design Standards are integrated into SES section instead of having their own sections.
 - Added *specific* compliance with National Electrical Code, National Fire Protection Association and the Michigan Building Code.
 - Added Alignments to Public Act 169 (Historic & Design Review), 235 (requiring utilities source 50% of their electricity by renewables by 2030), and PA 233 (provides developers the opportunity to bypass local zoning and obtain land use approval from the Michigan Public Service Commission (MPSC) for large-scale projects).
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OUR RESPONSE:

- Wow.
 - Our decision is that it is easier to rewrite the ordinance, applying what we have gleaned from our discussions with UM.
 - We added an administrative review process that eliminates ZBA, ensuring that all issues regarding installation are handled in a timely manner.
 - We still intend on garnering feedback or questions from residents who have any to ensure their voices are heard, while also ensuring all questions are answered.
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COMMENTS MADE WE NEED TO DISCUSS

In no particular order:

- Do we want to add a chapter to Section 4 that gives the city authority to inspect panel installations, OR create commercial safety plans?
 - The Graham Institute believes a 10' height restriction is too restrictive. 15' is their recommendation.
 - Regarding outdoor storage for BESS: Do we want to consider an amendment to the Zoning Ordinance that allows for a protective shed *exclusively for* BESS that is well ventilated- in doing so, this shed will *not* count towards the available square footage of the yard but must meet very specific size requirements.
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