TO: Lathrup Village Planning Commission
FROM: Tom Kennedy, Downtown Development Authority Intern
DATE: May 20, 2025
RE: Solar Energy Systems Ordinance – Intent, Overview, and Justification

Introduction

Dear Members of the Planning Commission,

I am writing to present and provide context for the Solar Energy Systems Ordinance that has been drafted for your review. This ordinance consolidates previous versions into one clear and comprehensive policy governing the installation, maintenance, and decommissioning of solar panels and battery storage systems on residential and commercial properties throughout the City of Lathrup Village.

Background

In 2021, the Planning Commission deliberated the need for such an ordinance and, at the time, determined that a specific solar ordinance was not necessary. However, in the intervening years, regulatory standards and expectations from state-level agencies—specifically the Michigan Economic Development Corporation (MEDC) have shifted considerably. The MEDC now strongly encourages or requires municipalities to adopt local zoning language that proactively regulates and permits renewable energy systems, including solar, as part of future Redevelopment Ready Communities (RRC) compliance and sustainable development best practices.

Given this updated guidance, and in support of our city's goals for environmental stewardship, equity in energy access, and economic resilience, we have prepared this ordinance to:

- Provide clear, accessible standards for property owners and developers;
- Prevent regulatory confusion or loopholes related to solar installations;
- Align with modern building codes, safety regulations, and environmental goals;
- Preserve community character while promoting green infrastructure.

This ordinance was made in direct response to the city's drive to receive our redevelopment ready certification standards. As such, it must be noted that the Solar Energy Systems Ordinance that we are proposing was on of the easier and cost-effective changes we could

make. Other options would take years to accomplish with funding we may not have, would be ordinances that would not be possible due to local geography or would not be realistic given local topography. Such options include green roofs, requiring native or low-maintenance planting, rainwater collection systems, just to name a few.

We feel as if Solar Energy Systems has the best possible chance to benefit the community. We should also note that our community never explicitly denied allowing solar panels; we never had regulations or standards, which meant that residents or commercial property owners could be investing in solar panels that could be installed improperly, incorrectly and unsafely, which then puts them and neighbors at risk. This ordinance stands to protect property, life, the environment, and aesthetics of our community.

Purpose of the Ordinance

This ordinance is intended to:

1. Legally permit and regulate the installation of solar panels and battery storage systems in all zoning districts—residential and commercial—either as accessory or principal uses.
2. Establish consistent aesthetic, dimensional, and safety standards for both ground-mounted and building-integrated systems.
3. Encourage renewable energy adoption while ensuring installations are compatible with surrounding uses, especially in residential or historic districts.
4. Require proper decommissioning and environmental disposal of expired or abandoned solar systems and batteries to prevent future liabilities.
5. Comply with the Michigan Building Code, National Electrical Code (NEC), NFPA 855, and guidance from the Michigan Department of Environment, Great Lakes, and Energy (EGLE).
6. Protect neighboring properties and public spaces from adverse impacts, such as glare, improper siting, or fire hazards, through enforceable performance standards.

Policy Highlights

1. Permits roof-mounted and ground-mounted systems, subject to setbacks, height, and screening requirements.

2. Defines key terms such as “principal-use solar energy system” and “battery storage system” to reduce ambiguity.
3. Require systems to be inspected and permitted through the Building Department.
4. Allows the Planning Commission or Zoning Administrator to approve variances or waivers in certain justified scenarios.
5. Mandates decommissioning timelines and financial assurances for commercial-scale systems.
6. Encourages minimal visual impact and sets aesthetic guidelines for installations, especially in historic or highly visible areas.
7. Provides a clear enforcement mechanism to address unpermitted systems or unsafe conditions.

Neighboring Communities & Precedent

Below is a comprehensive list of neighboring communities in the area, as well as notable cities and communities around the state that have adopted Solar Energy ordinances of some kind, with a link to their ordinance language.

Southfield, Michigan

(PDF Page 234, Document Page 220)

Southfield, Michigan has adopted comprehensive zoning regulations to manage the installation of solar energy systems across all zoning districts. Roof-mounted solar panels are permitted citywide but must comply with design limits—specifically, they cannot extend more than four feet above the roof surface or protrude beyond the roof edge.

Ground-mounted systems are also allowed, but only in the side and rear yards of a property. These systems must meet a minimum setback of five feet and are subject to height restrictions—no more than 10 feet in rear yards and 3.5 feet in side yards. Additionally, ground-mounted installations may not cover more than 20% of the total lot area, preserving open space and minimizing visual clutter.

Southfield requires both building and electrical permits for any solar installation, ensuring systems are safely integrated into existing structures and electrical grids. The ordinance also addresses battery storage, requiring batteries to be housed in secure enclosures and

properly disposed of in accordance with hazardous waste regulations once they are no longer in use.

Birmingham, Michigan

(Ordinance Found Here)

Birmingham, Michigan permits roof-mounted solar panels in all zoning districts, reflecting the city's general support for renewable energy. However, this permission comes with design and placement requirements intended to maintain the city's architectural character and aesthetic standards.

Panels must be integrated into the roof structure or installed as flush-mounted systems, helping to reduce visual impact. Additionally, installations are restricted to rear or side-facing roofs that do not front any public street.

If this placement proves impractical—due to shading, structural limitations, or other factors—property owners may request approval for alternative panel locations. These cases require review and approval by either the Planning Board or the Historic District Commission, depending on the property's designation.

Berkley, Michigan

Berkley, Michigan has incorporated solar energy into its zoning ordinance by formally defining solar energy systems, including ground-mounted installations. The presence of these definitions indicates that the city recognizes and anticipates the installation of solar technologies within its jurisdiction.

While the ordinance does not currently include detailed regulations or design standards, the inclusion of foundational definitions establishes a framework that could be expanded as demand for solar grows. This approach positions Berkley to adapt quickly with more specific policies in the future, should the need arise.

Ann Arbor

(Ordinance Found Here)

Ann Arbor, Michigan has implemented comprehensive solar energy regulations to promote renewable energy use throughout the city. Personal-scale solar energy systems are

permitted in all zoning districts. These installations must follow specific design guidelines to ensure they remain compatible with the aesthetic character of surrounding neighborhoods.

To further support solar adoption, Ann Arbor has amended its Unified Development Code (UDC). Recent updates removed previous restrictions on installations in single- and two-family residential zoning districts. This streamlines the permitting process and makes it easier for homeowners to install rooftop solar systems.

In addition to zoning updates, the city is launching a Sustainable Energy Utility (SEU). This innovative, community-owned utility will provide 100% renewable energy from local solar and battery storage systems. Residents and businesses can opt in to receive clean energy directly from solar installations in their neighborhoods.

Together, these efforts reflect Ann Arbor's strong commitment to sustainability, energy equity, and long-term environmental leadership.

Lansing

(Ordinance Found Here)

Lansing, Michigan has incorporated specific provisions into its zoning code to actively encourage the adoption of solar energy systems. One such provision offers density bonuses to developers who incorporate solar-powered heating or air conditioning systems into planned residential projects. This incentive allows developers to increase the number of dwelling units in a project, thereby promoting energy-efficient building design while supporting urban density goals. Additionally, Lansing's ordinance includes height allowances for roof-mounted solar energy systems. These systems are permitted to extend up to 18 inches above the district's maximum building height, which accommodates the installation of solar panels without conflicting with existing design standards. Together, these policies reflect Lansing's commitment to integrating renewable energy into its development framework in a practical and scalable way.

Highland Park

(Ordinance Found Here)

Highland Park has implemented a comprehensive solar energy ordinance that addresses progressive provisions like building-integrated systems and dual-use solar energy systems. Building-integrated systems may include photovoltaic or hot water systems installed as part of roofs, windows, or other building elements. The city also permits dual-use systems, which

combine solar installations with agricultural or other productive uses, reflecting Highland Park's broader goals for sustainability and land use efficiency.

This ordinance reflects the city's commitment to sustainable energy solutions and provides clear guidelines for residents and developers.

Franklin

(Ordinance Found Here)

In the Village of Franklin, solar energy installations are permitted but with strict design guidelines that reflect the village's desire to preserve its historic and residential character. Panels must be mounted flush within six inches of the roof surface and are not allowed to extend above the peak. Installations on steep roofs or building facades are prohibited, and the hardware must match the color of the existing roof to reduce visual disruption. This ordinance exemplifies how solar energy adoption can be balanced with stringent aesthetic expectations.

These guidelines aim to preserve the village's historic character while allowing for renewable energy adoption.

Conclusion

By examining these examples, it's evident that municipalities of all sizes across Michigan are proactively developing ordinances to regulate and promote solar energy systems. For Lathrup Village, adopting a clear and comprehensive solar ordinance not only aligns with state-level sustainability goals but also positions the city as a forward-thinking leader among its peers. Such an ordinance can facilitate the adoption of renewable energy, ensure safety and aesthetic standards, and provide clarity for residents and developers alike.

Moving Forward

This ordinance is not simply regulatory; it is strategic infrastructure policy. It signals that Lathrup Village is committed to a clean energy future, prepared to accommodate new technology safely, and dedicated to thoughtful land use planning.

The ordinance was designed in consultation with best practices from other Michigan communities, input from the Michigan EGLE and MEDC, and legal review of zoning and environmental standards. Its flexibility and clarity are intended to support residents and

businesses, not hinder them, while empowering the City with tools for oversight and public safety.

I respectfully ask that the Planning Commission and our residents review the ordinance and provide feedback or recommendations prior to formal consideration of adoption. Any and all recommendations will be considered, and relevant amendment proposals will be addressed in the final draft of this ordinance.