

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of March 17, 2020**

**SUBJECT: Amendments to Chapter 55 (Unified Development Code) to Chapter 55, Unified Development Code: Section 5.18.4 Exceptions to Height Limits; Section 5.16.6N Solar Energy Systems.**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code, Section 5.18.4 Exceptions to Height Limits to allow solar panels to exceed height limit; Section 5.16.6N Solar Energy Systems to waive site plan requirements for construction of solar carports subject to standards for Accessory Structures.

**STAFF RECOMMENDATION:**

Staff recommends that the amendments to the Unified Development Code be **approved**.

**SUMMARY:**

The Unified Development Code (UDC) currently designates a freestanding solar panel installation as an accessory structure. As such, the total size is limited to 240 square feet without the requirement for a site plan. Recently, a site has proposed a larger structure for covering existing parking while providing a larger surface for solar collection. Under current code, this proposal would trigger a full site plan review for the site making the installation of the solar structure possible but cost prohibitive. Staff anticipates other possible sites in the City to have similar considerations making larger ground-mounted solar installations challenging to install.

The UDC currently counts rooftop solar panels toward meeting the height maximum height requirement. This discourages the installation of solar panels on flat roofs since they would protrude beyond the flat top of the roof.

Both amendments were presented to the January 28, 2020 Ordinance Revisions Committee meeting of the Planning Commission. Feedback and additional comments were incorporated into the revised draft as attached.

**PROPOSED AMENDMENTS:**

- 1. Exceptions to Height Limits to allow solar panels to exceed height limit**

#### 5.18.4 Exceptions to Height Limits

##### A. Certain Architectural and Mechanical Features

The height limits of this chapter shall apply to spires, belfries, cupolas, penthouses, domes, water Towers, observation Towers, power transmission lines and Towers, Roof-mounted Dish Antennas, masts and aerials, flagpoles, chimneys, smokestacks, ventilators, skylights, derricks, conveyors, cooling Towers, and other similar mechanical appurtenances. However, if such facilities are proposed specifically to house and disguise Wireless Communications Facilities, their height limits shall be those in Section 5.16.5D. The applicable height limit of the zoning district in which such a facility is proposed may be modified by the Zoning Board of Appeals.

##### B. Rooftop Solar Energy Systems

Rooftop Solar Energy Systems may extend up to 12 feet beyond the surface of a flat roof when determining the height of the building.

##### C. Wireless Communications Antennas

Wireless Communications Antennas are not subject to the height limits of this chapter, except when attached to Wireless Communications Towers. Wireless Communications Towers and their associated facilities are subject to the height limits found in Section 5.16.5D.

## 2. Solar Energy Systems to waive site plan requirements for construction of solar carports subject to standards for Accessory Structures

#### 5.16.6 N. Solar Energy System

In Multiple-Family, Mixed Use, or Nonresidential and Special Purpose Zoning Districts, a SES is permitted subject to the requirements listed below and Section 5.16.6A. Accessory Uses and Structures, except when the Principal Use is Single-Family Dwelling the standards provided in Section 5.16.6O shall apply.

A site plan is not required if it complies with the standards below:

The SES shall result in no increase of impervious surface to the overall site.

- a. No required landscaping or landmark trees shall be removed or affected by the installation of the SES.
- b. No removal of required parking.
- c. A SES shall have a maximum height of 21 feet.
- d. A SES shall have a minimum of 90% of the surface covered by active solar collectors.
  - a. Applicant shall submit documentation demonstrating that the location and dimensions of the SES shall not interfere with vehicular and non-motorized safety, circulation and visibility

- e. Total surface area of all SES structures shall not exceed 10,000 square feet.

Installation, Use, and Maintenance

- a. The SES shall be installed, maintained, and used only in accordance with the manufacturer's specifications.
- b. The SES and its installation and use shall comply with the Michigan Building Code, the Michigan Electrical Code and any other applicable State codes, and installation of a SES shall not commence until all necessary permits have been issued.

Prepared by Matt Kowalski

Reviewed by Brett Lenart

3-10-20

Attachment: Ordinance to Amend Chapter 55 Unified Development Code

c: City Attorney's Office