

ORDINANCE NO. ORD-18-01

First Reading: January 16, 2018
Public Hearing: February 20, 2018

Approved: February 20, 2018
Published: February 26, 2018
Effective: March 8, 2018

ZONING ORDINANCE
(SOLAR ENERGY)

AN ORDINANCE TO AMEND CHAPTER 55 (ZONING ORDINANCE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR BY ADDING SECTION 5:83 (SOLAR ENERGY)

The City of Ann Arbor ordains:

Section 1. That Section 5:83 (SOLAR ENERGY SYSTEMS) be added to Chapter 55 of Title V of the Code of the City of Ann Arbor as follows:

Chapter 55, SECTION 5:83 – SOLAR ENERGY SYSTEMS

(1) Intent

The City of Ann Arbor promotes the effective and efficient use of solar energy systems. It is the intent of the City to permit these systems by regulating their siting, design, and installation to protect public health, safety, and welfare, and to ensure their compatibility with adjacent land uses. Solar energy systems, shall comply with the provisions of this Section and are only permitted as authorized by this Section.

(2) Definitions

(a) A Solar Collector Surface shall refer to any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface, is considered the front of the SES, and does not include frames, supports, and mounting hardware.

(b) Solar Energy shall mean radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.

(c) A Solar Energy System (SES) shall mean a system (including solar collector surface and ancillary solar equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and distributes solar energy for heating or cooling, generating electricity, or heating water. Solar Energy Systems include, but

are not limited to, photovoltaic (PV) power systems and solar thermal systems.

(d) A Personal-Scale SES shall mean a ground-mounted or building-mounted SES that is accessory to the principal residential use on the parcel. The sale and distribution of excess available energy to an authorized public utility for distribution, if permitted, shall be incidental to this type of system, and not its primary purpose.

(e) A Ground-Mounted SES shall mean a freestanding solar energy system that is not attached to and is separate from any building on the same parcel of land on which the solar energy system is located.

(f) A Building-Mounted SES shall mean a solar energy system that is attached to a building on a parcel as the principal method of physical support.

(3) Standards for SES -

In zoning districts other than R1 or R2, or on single-family use parcels in the R3 and R4 Districts, a SES is permitted subject to the standards of Accessory Buildings, Section 5:59.

In R1 and R2 Zoning Districts, and single-family uses in the R3 and R4 Zoning Districts, Personal-Scale SES shall be permitted subject to the following standards:

(a) Application for Zoning Compliance Permit of Personal-Scale SES

A Personal-Scale SES requires a Zoning Compliance Permit, additional permits may be required as stated in Section 5:83 (3)(2)(e) below. An application for a Zoning Compliance Permit shall include the following:

1. Renderings and/or specifications of the proposed solar energy system.
2. A plot plan or survey to indicate where the SES is to be installed on the property, including property setbacks and the total Solar Collector Surface area, and total footprint of the SES.
3. Elevations showing the height of the SES.
4. A description of the screening to be provided for ground-mounted SES.

(b) Ground-Mounted SES

Ground-mounted, personal-scale SES shall be subject to the following additional standards:

1. Setbacks: A ground-mounted SES may be located in the rear or side yard and shall be located at least three feet from the property line.
2. Height: A ground-mounted SES shall not exceed 21 feet in height, measured from the ground at the base of such equipment to the highest point of the system.
3. Installation and Maintenance: SES shall be installed, maintained and used only in accordance with the manufacturer's specifications.
4. Compliance with Additional Codes: SES, and the installation and use thereof, shall comply with the Building code, the Electrical Code and any other applicable State codes. Installation of a SES shall not commence until all necessary permits have been issued.
5. Lot coverage: Solar energy systems shall not occupy greater than 35% of the required rear setback area.

(c) Building-Mounted SES

Building-mounted personal-scale SES shall be subject to the following additional standards:

1. Setbacks: A building-mounted SES shall comply with Area, Height, and Placement requirements for Principal Building or Accessory Building Standards, as applicable to placement of SES.
2. Installation and Maintenance: SES shall be installed, maintained and used only in accordance with the manufacturer's specifications.
3. Compliance with Additional Codes: SES, and the installation and use thereof, shall comply with the Building Code, the Electrical Code and any other applicable State codes. Installation of a SES shall not commence until all necessary permits have been issued.

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.

As Amended by City Council at First Reading on January 16, 2018.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of February 20, 2018.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on February 26, 2018.

Jacqueline Beaudry, Ann Arbor City Clerk