

## ZONING

The City of East Tawas, County of Iosco, State of Michigan Ordains

Ordinance No. 357

Adopted: April 18, 2022

Effective: May 9, 2022

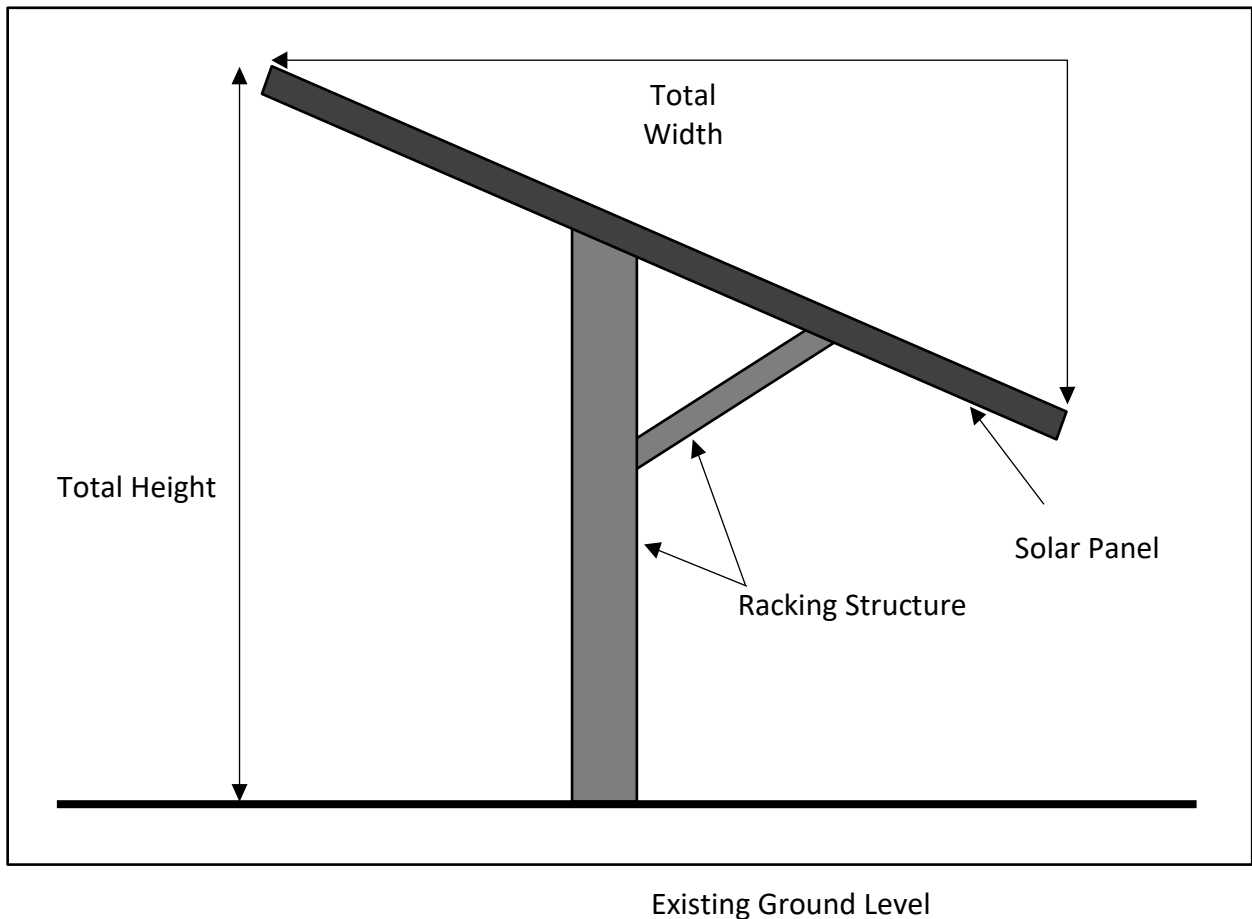
AN ORDINANCE to amend ARTICLE II, DEFINITIONS, Section 44-38 as indicated and ARTICLE VIII. SUPPLEMENTAL REGULATIONS, Section 44-298 of CHAPTER 44 – ZONING of Ordinance No. 343, adopted on May 20, 2013.

### Section 44-38 Definitions (add new definitions)

**ROOF-MOUNTED SOLAR ENERGY System:** A solar energy system that is attached to a building's roof on the parcel of land including solar shingles.

**GROUND-MOUNTED SOLAR ENERGY System:** A solar energy system that is not attached to and is separate from any building on the parcel of land on which the solar energy collector is located (Figure 1).

**RACKING:** Racking is any structure or building material used in the mounting of a solar panel (Figure 1).



SOLAR ENERGY: Radiant energy (direct, diffuse, and reflected) received from the sun.

SOLAR ENERGY SYSTEM: A solar system or other device or structural design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing, and storing (if appropriate to the technology) the sun's radiant energy for a beneficial use.

SOLAR PANEL: A panel consisting of an array of solar cells used to generate electricity directly from sunlight.

SOLAR SHINGLES: A roofing product made by combining thin film solar technology (which converts sunlight to electricity) with a durable backing to provide a structural roof shingle comparable to traditional roofing shingles.

***Sec. 44-298 Solar Energy Regulations (add new regulations)***

(a) All Solar Energy Systems

- (1) The installation of any solar panel shall not unreasonably negatively impact adjacent properties with additional or excessive storm water runoff and/or drainage.
- (2) All panels must be adequately secured to the surface upon which they are mounted, and the mounting structure must have reasonably adequate capability and capacity to support the panels.
- (3) All panels shall have tempered, non-reflective surfaces.
- (4) Solar energy equipment shall be repaired, replaced, or removed within three months of becoming nonfunctional.
- (5) Solar energy systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the Zoning Administrator prior to installation. Zoning Administrator approval is required.
- (6) Solar energy systems shall comply with current construction codes, national electrical codes, and other state and federal requirements.
- (7) Any modifications to a solar energy system must be reviewed by the zoning administrator.

(b) Roof-Mounted Solar Energy System

- (1) Solar energy systems shall be such a weight to be safely supported by the building. Building inspector approval is required.
- (2) Solar energy systems shall be considered part of the building and meet all the required building height and setback requirements.
- (3) Solar energy systems shall not project more than 2 feet above highest point of roof or exceed maximum building height limitations allowed in that zoning district.

(4) Solar energy systems shall not be located within 3 feet of any peak, eave, or valley to maintain adequate accessibility.

(c) Ground-Mounted Solar Energy Systems

- (1) Ground-mounted solar energy systems are only permitted in rear yards and must not be visible from the public right of way adjacent to the front yard. They may not be erected in any required front or side yard.
- (2) Ground-mounted solar energy systems may not extend into the required setback at any tilt angle.
- (3) Ground-mounted solar energy system shall not exceed 10 feet in height measured from the ground at the base of such equipment. The height of the ground-mounted solar energy system shall be measured from ground level to the highest point of the solar panel, when oriented at maximum tilt. See Figure 1, Section 44-38.
- (4) The total area of ground-mounted solar energy systems shall be included in calculations to determine maximum lot coverage per the zoning district in which they are located in. The total square footage of any solar panel system shall not exceed more than 3% of the total lot coverage.  
*Example: standard city lot 66 x 132=8712 square feet. Solar system cannot be large than 3%, 8712 x .03= 261.36 square feet.*
- (5) Notwithstanding any other requirement of this Ordinance, Ground-mounted solar energy systems shall be a minimum of ten feet from any adjoining lot line.
- (6) The square footage of a Ground mounted solar energy system shall not exceed the total square footage of the ground floor of the principal building including any structurally attached accessory buildings.
- (7) No Ground-mounted solar energy system shall be located closer than ten feet to any principal building, when oriented at maximum tilt or rotation.
- (8) No Ground-mounted solar energy system shall be built upon a lot or parcel unless and until a principal building is erected.
- (9) No Ground-mounted solar energy system shall be located within a dedicated utility or drainage easement or right-of-way.

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Bruce P. Bolen, Mayor

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Julie J. Potts, Clerk/Treasurer