

Background – O’Shea Solar Park

2016 Amendments

- Prior to 2016, ZO was silent on solar/wind
- Parallel amendments submitted:
 - Map rezoned former playfield from R1 to PR
 - Text added “Solar generation station” as a CU in PR, also permitted via PD
 - >1 ac., ground-mounted, Principal Use
- Text amendment was specific to O’Shea and not intended to be comprehensive
- Staff report states the permissibility of facilities should be expanded in future



Source: <https://graham.umich.edu/activity/17755>

Background

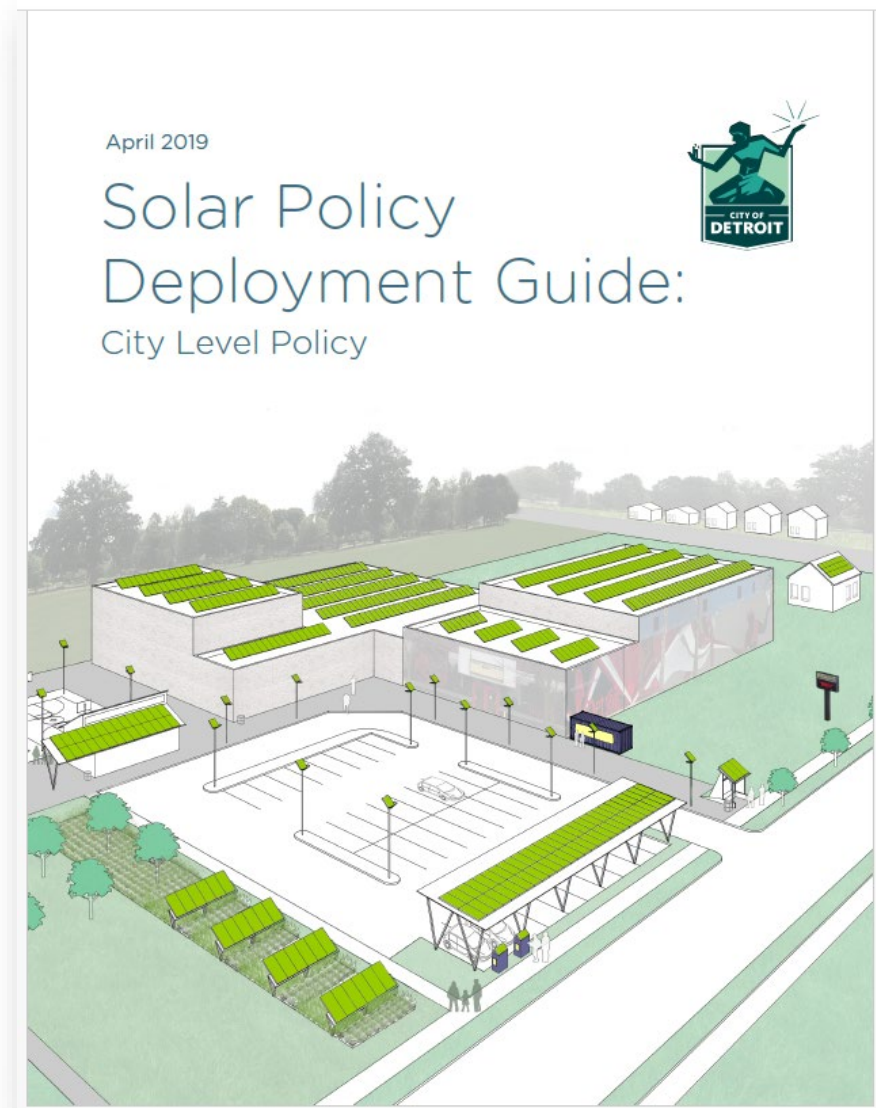
2019 City Solar Policy Deployment Guide

- Recommendation 2: Amend ZO to promote solar energy systems**
 - “Many cities allow in a variety of districts”
 - ZO should expressly permit when accessory

Zone Detroit Drafts

- In-progress ZO update effort would expand renewable energy uses (variety of districts)

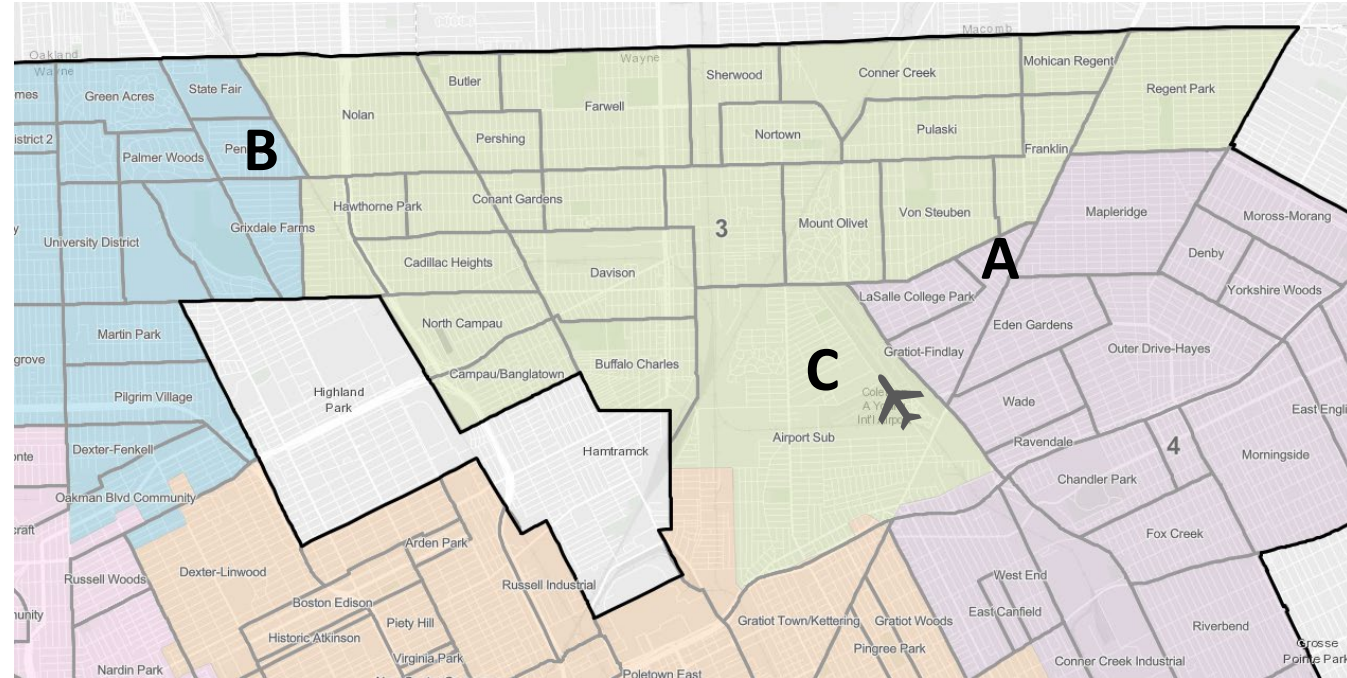
Use Category Specific Use	RESIDENTIAL						BUSINESS			MIXED USE				INDUSTRIAL				SPECIAL									
	R1	R1A	R1B	R2	R2A	R2B	R3	R4	R6	B2	B4	B6	MX0	MX1	MX2	MX5	I0	I2	I3	I4	CIV	PR	MKT	RVR	CAS	PC	P1
General religious assembly																											
0-4,000 SF	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
4,001-50,000 SF	C	C	C	C	C	C	P	P	P	P	P	-	P	P	P	P	P	C	C	C	C	-	-	C	P	-	-
50,000+ SF	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-
Utility Service																											
Utilities, basic	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-
Utilities, major	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	C	-	C	-
Commercial solar																											
0-2 acres	-	-	P*	-	-	P*	P*	P*	P*	P*	P*	P*	-	-	-	-	P*	P*	P*	C*	P*	C*	-	C*	-	-	-
2+ acres	-	-	P*	-	-	P*	C*	C*	C*	C*	C*	P*	-	-	-	-	P*	P*	P*	C*	C*	C*	-	-	-	-	-
Commercial wind	-	-	P*	-	-	P*	C*	C*	C*	C*	C*	C*	-	-	-	-	P*	P*	P*	C*	-	-	-	-	-	-	-
Electric or gas substation	-	-	-	-	-	-	-	-	C*	C*	C*	C*	C*	C*	C*	C*	P*	P*	P*	P*	P*	P*	C*	C*	-	-	-



2024 “Solar Initiative” Approvals

July 30 Formal City Council approved:

1. Resolution of Necessity (ph. 1)
 - A. Gratiot-Findlay
 - B. State Fair (Penrose)
 - C. Van Dyke Lynch (Airport Sub)
2. Contract for DTE to provide solar energy
3. Contract for Lightstar Renewables
4. Solar Equity Fund (future)



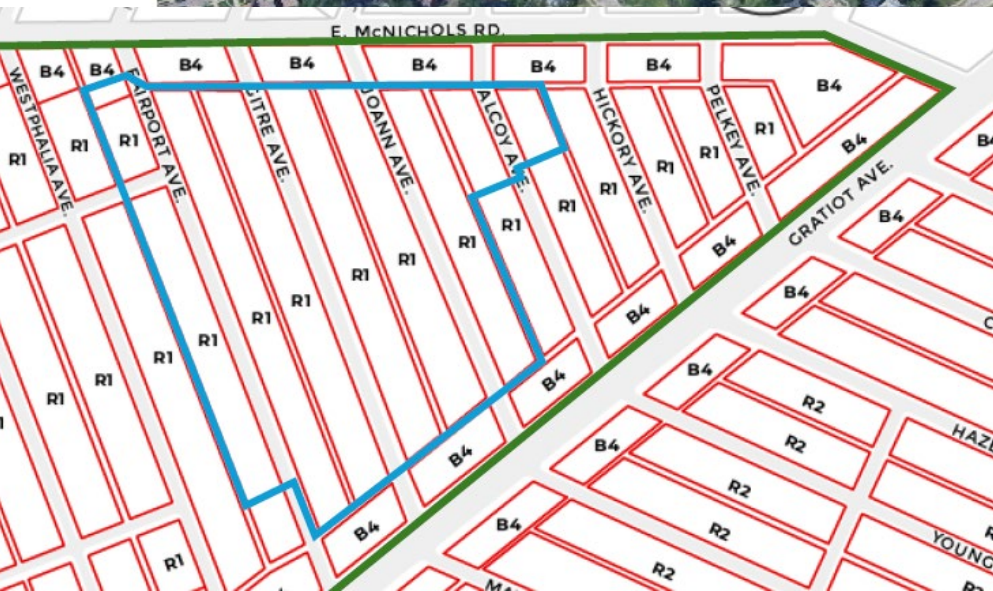
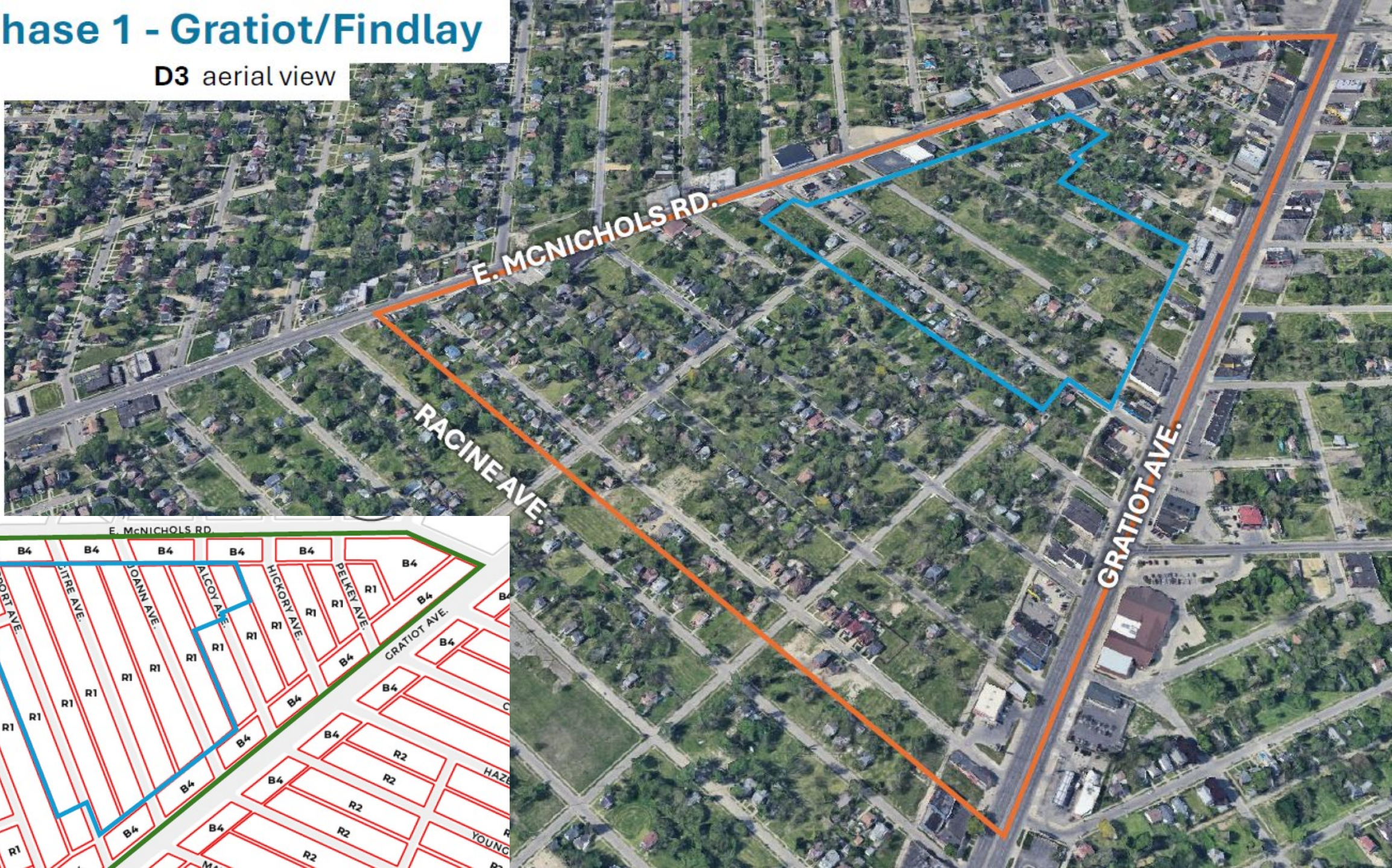
Resolution of Necessity (public uses/purposes):

“WHEREAS, the City finds that the Solar Initiative is a governmental function”

21. This Honorable Body hereby declares the Solar Initiative is a governmental function and essential service.

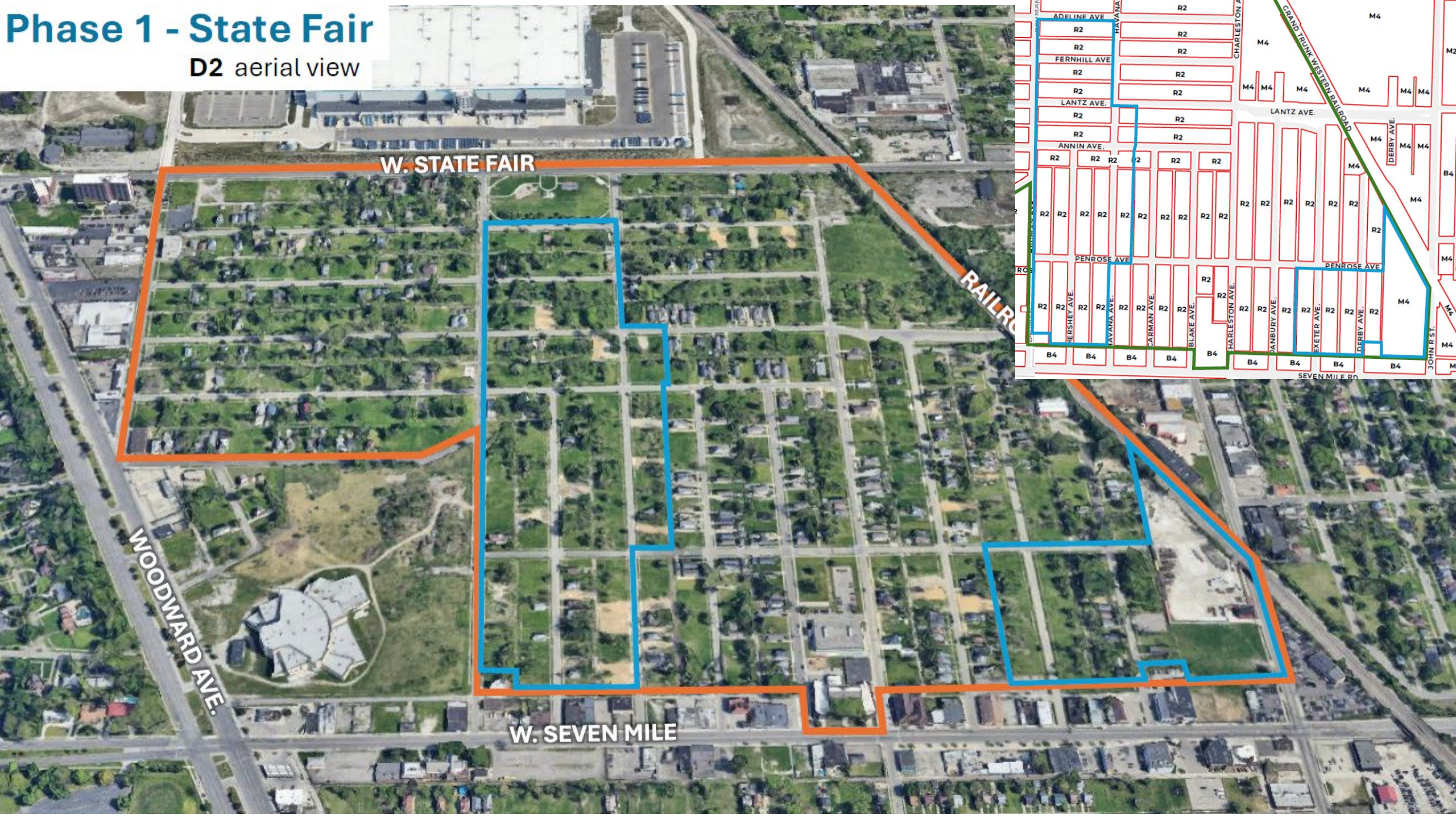
Phase 1 - Gratiot/Findlay

D3 aerial view



Phase 1 - State Fair

D2 aerial view

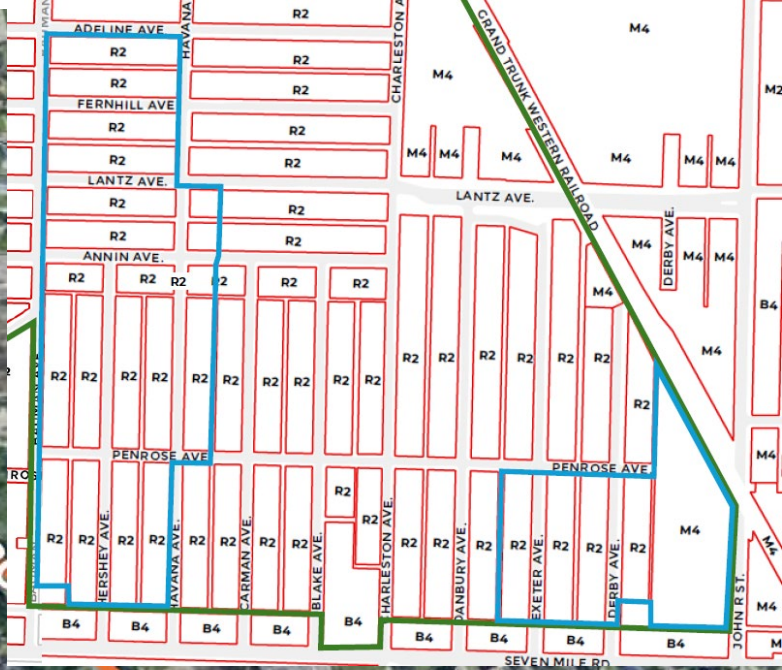


W. STATE FAIR

RAILROAD

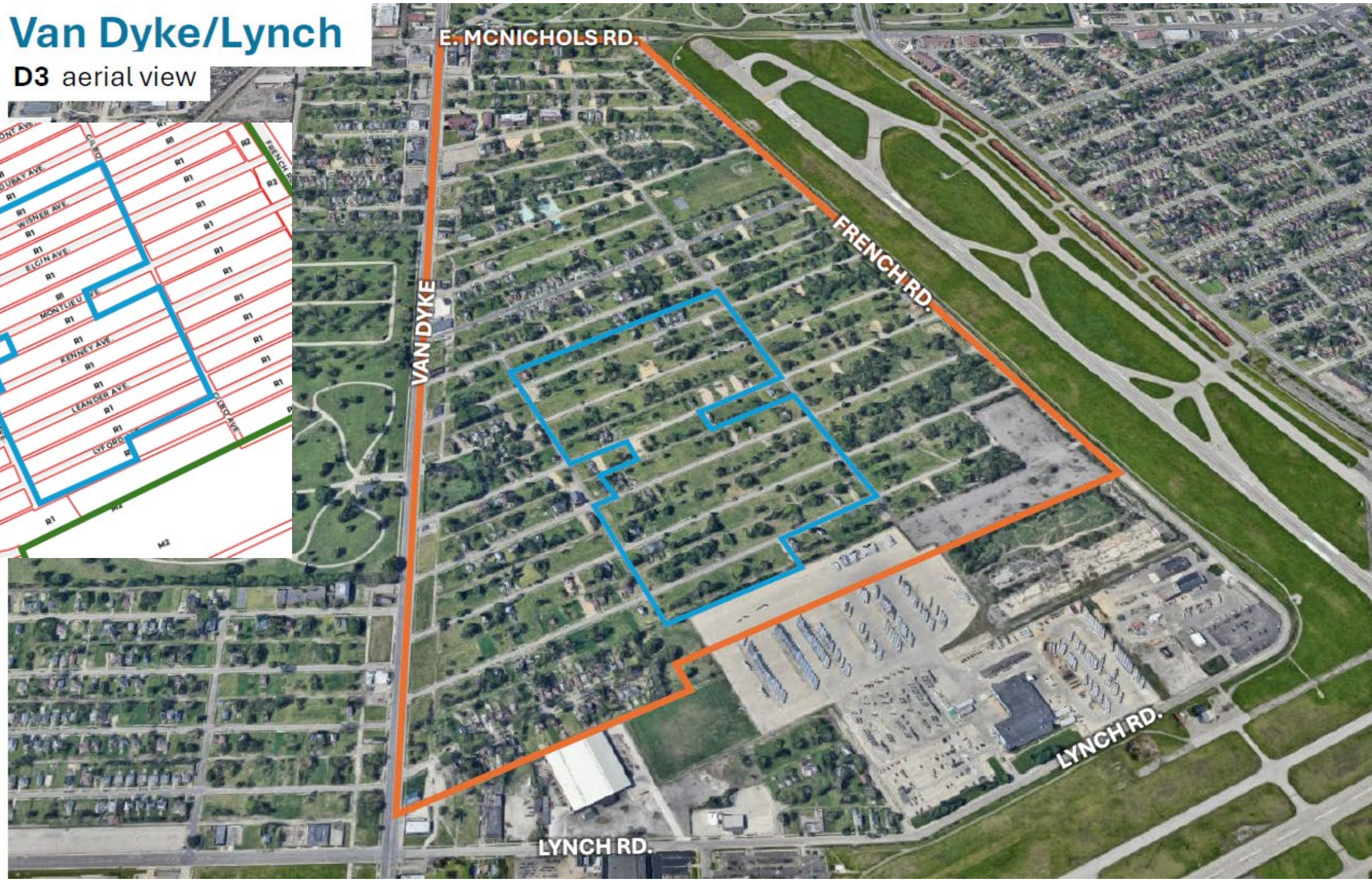
WOODWARD AVE.

W. SEVEN MILE



Phase 1 - Van Dyke/Lynch

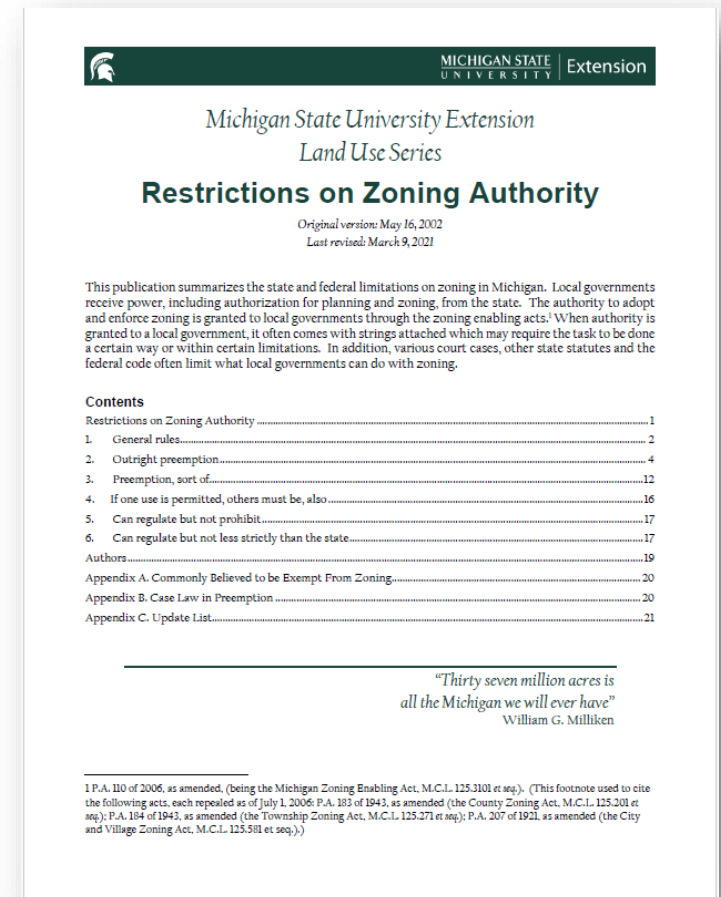
D3 aerial view



Addressing the Solar Initiative in Zoning

The courts have recognized that a local government may expressly exempt certain government projects or functions from its zoning ordinance by writing the exemptions into the zoning ordinance. (MSUE Land Use Series; Restrictions on Zoning Authority)

- The Administration and Councilmember Benson have requested an amendment to exempt the Solar Initiative project from the ZO
- As stated by MSUE: cities may exempt government projects/functions from zoning
- This exemption should be written into the ZO
- **As City Council has declared the Solar Initiative to be a government function, City Council may consider exempting the Solar Initiative from the ZO**



Pt. 1 Addressing the Solar Initiative in Zoning

- CPC staff has provided draft exemption language within Article 1
- Intended to address the Solar Initiative and future solar stations with qualifications:
 1. Developed by or on behalf of the City
 2. Located on City or City agency owned land
 3. Approved by City Council resolution
- **3. City Council resolution approval provides a policy statement to setup a government function zoning exemption (that would be included in ZO Article I)**

8	ARTICLE I. INTRODUCTORY PROVISIONS
9	Sec. 50-1-3. Applicability and jurisdiction.
10	(a) The provisions of this chapter shall apply to all land within the City, including land owned
11	by local, County, state, or federal agencies, except where such land is determined to be
12	exempt from local zoning regulations.
13	(b) <u>The development of solar generation stations by or on behalf of the City, located on land</u>
14	<u>owned by the City or a City agency, and approved by City Council through adoption of a</u>
15	<u>resolution, shall be considered an essential government function exempt from this chapter.</u>

Pt. 2 Amendment

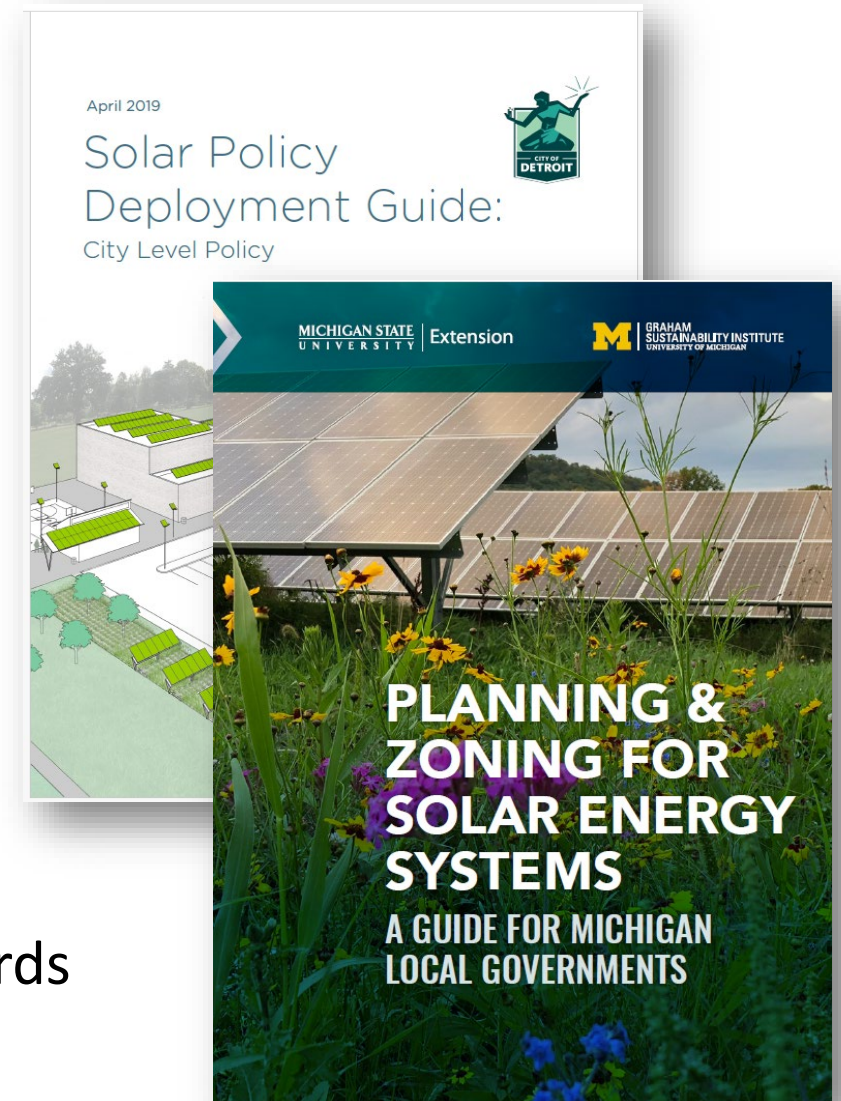
For nonexempt solar stations

- Councilmember Benson has also requested that a solar overlay district be drafted with new design standards for solar stations
- City Council members have also stated that they view solar stations as industrial uses
- The second part of the amendment (beyond Article I) seeks to address these to goals

Proposed development paths

Industrial Districts: By-right with Development Standards

Nonindustrial Districts: Overlay with Development Standards



Pt. 2 Industrial Districts

- Remove Solar generation station as a Conditional Use in the PR District (structures in parks)
- Add Solar generation station as a By-right use in the M1 – M5 Industrial Districts
- Add design and development standards

1 Sec. 50-12-50. Utility, basic.

2 Regulations regarding basic utility uses are as follows:

Use Category	Specific Land Use	Residential						Business						Industrial					Special and Overlay										Standards General (Art. XII, Div. 2) Specific (Art. XII, Div. 3)		
		R 1	R 2	R 3	R 4	R 5	R 6	B 1	B 2	B 3	B 4	B 5	B 6	M 1	M 2	M 3	M 4	M 5	P D	P 1	P C	P C A	T M	P R	W 1	M K T	S D 1	S D 2		S D 4	S D 5
Utility, basic	Electric transformer station					C	C	C	C	C	C	R	R	R	R	R	R	L					R	R		C	C	C	R	Section 50-12-192	
	Gas regulator station					C	C	C	C	C	C	R	R	R	R	R	R	L					R	R		C	C	C	R	Section 50-12-192	
	Residential-area utility facilities, public	C	C	C	C													L					R							Section 50-12-192	
	Solar generation station																	R	R	R	R	R	L								Section 50-12-192
	Telephone exchange building					C	C	C	C	C	C	R	R	R	R	R	R	L					R	R			C	C	R	Section 50-12-192	
	All other																		L					R					C	Section 50-12-192	

Pt. 2 Nonindustrial Districts

- Add Solar Station Overlay Areas
 - Overlay = Area designated by City Council with a boundary defined in the ZO for each station
 - Addition of O'Shea Solar Station Overlay Area would replace the removed by-right in PR
- Add design and development standards

Benefits of zoning overlays:

- Proactively indicate where desired
- Overlay is more limiting than CU approach
- Establishing, or expanding, a Solar Overlay Area would require a text amendment



Source: <https://graham.umich.edu/activity/17755>

Pt. 2 Additional Standards (M Ind/Overlay)

- Add design and development standards to replace current specific use standards
- Add that urban gardens or urban farms may be permitted as an accessory use
- Require site plan review (currently unclear) and additional SPR submittal requirements
- Add that a performance guarantee may be required
- Amend and add definitions: >1 acre replaced with >2 Megawatts for Principal use

Design and Development Standards

- Massing and cross-access
 - Consideration of public access network
 - Provide through access a min. of every 1,320 ft
- Height maximum of 20 ft (arrays and wiring)
- Anti-glare and reflection provisions
- Noise maximums adjacent to dwellings
- Screening requirements:
 - Adjacent to streets or Residential (15' buffer)
 - Adjacent to Business or Special (12' buffer)
 - Adjacent to Industrial District (10' buffer)