

**CITY OF CEDAR SPRINGS  
KENT COUNTY, MICHIGAN**

**ORDINANCE NO. 245**

**AN ORDINANCE TO AMEND SECTION 32-6 PERTAINING TO DEFINITIONS; AND TO AMEND DIVISION 2, “YARD, USE, HEIGHT ETC. REQUIREMENTS” OF ARTICLE IV “SUPPLEMENTAL REGULATIONS” TO ADD A NEW SECTION 32-156, OF CHAPTER 32, “ZONING,” OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR SPRINGS.**

Councilmember Atchison, supported by Councilmember Powell, moved the adoption of the following ordinance:

**THE CITY OF CEDAR SPRINGS ORDAINS:**

**Section 1. Amendment of Section 32-6.** Section 32-6 of Chapter 32 “Zoning,” of the Code of Ordinances of the City of Cedar Springs is amended to include the following definitions, which are insert in alphabetical order and read as follows:

**SOLAR ENERGY COLLECTOR OR SYSTEM:** A system or facilities (including solar collector surfaces, panels, and/or ancillary solar equipment) either affixed to a permanent principal or accessory building or functioning as a freestanding structure, that collects, stores, and/or 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.

**Ancillary Solar Equipment:** Any accessory part or device of a solar energy system that does not require direct access to sunlight, such as batteries, electric meters, converters, or water heater tanks.

**Property Owner or Lessor:** Any person, agent, firm, corporation, limited liability company, or partnership that alone, jointly, or severally with others: (1) has legal or equitable ownership or title to any premises, dwelling, or dwelling unit, with or without accompanying actual possession thereof; or (2) has charge, possession, care, or control of any premises, dwelling or dwelling unit, as an agent of the owner or as executor, administrator, trustee, or guardian of the estate of the beneficial owner. The person shown

on the records of the Kent County Register of Deeds to be the owner of a particular property shall be presumed to be the person who owns or is in control of that property.

Solar Collector Surface: Any part of a solar energy system that absorbs solar energy for use in the system's transformation process. The collector surface does not include frames, supports, and mounting hardware.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar energy system.

Solar Thermal System: A collection of solar panels and related equipment and components that converts sunlight into heat.

Building-Mounted Solar Energy Collector: A solar energy collector attached to the roof or wall of a building, or which serves as the roof, wall, or other element in whole or in part of a building. This also includes building-integrated photovoltaic systems ("BIPV").

Ground-Mounted Solar Energy Collector: A solar energy collector that is not attached to and is separate from any building on the lot on which the solar energy collector is located.

Small-Scale Solar Energy Collector: A solar energy collector primarily intended to provide energy for on-site uses and to provide power for use by owners, lessees, tenants, residents, or other occupants of the lot on which it is erected. It may be comprised of building-integrated photovoltaic systems ("BIPV"), ground-mounted solar energy collectors, and/or building-mounted solar energy collectors.

Photovoltaic System: A semiconductor material that generates electricity from sunlight.

**Section 2. Amendment of Section 32-6.** Division 2, "Yard, Use, Height Etc. Requirements" of Article IV "Supplemental Regulations" of Chapter 32 "Zoning," of the Code of Ordinances of the City of Cedar Springs is amended to include the following new Section 32-561, which reads as follows:

**Sec. 32-561. - Solar Energy Systems**

- a) Applicability. This section applies to any small-scale solar energy collector system as defined by this Ordinance. This section does not apply to solar energy collectors with collector surface areas less than five (5) square feet and mounted less than five (5) feet above the ground, nor shall it apply to a solar energy system used to power a single device or specific piece of equipment such as a lawn ornament, light, weather station, thermometer, clock, well pump, or other similar device.
  - 1) Systems Permitted; Permits Required. All solar panel installations shall obtain building/electrical permits from the City's building inspector. A zoning permit shall be required.
  - 2) General Regulations

- a. All small-scale solar energy collectors shall be installed, maintained, and used only in accordance with the manufacturer's specifications. Upon request, a copy of such specifications shall be submitted to the City prior to installation.
- b. The exterior surfaces of solar energy collectors shall be generally neutral in color, be substantially non-reflective of light, and shall not cause a nuisance to nearby properties. Such collectors shall not be installed or located so that sunlight or glare is reflected into neighboring dwellings or onto adjacent roads.

3) Building Mounted Solar Energy Collectors

- a. A small-scale solar energy collector shall be permanently and safely attached to the building. Solar energy collectors, and their installation and use, shall comply with all building codes and all other applicable city and state requirements.
- b. Building-mounted solar energy collectors shall be exempt from screening requirements for rooftop equipment or mechanical system screening.
- c. The installation of a building-mounted solar energy system on a nonconforming building, structure, lot, or use shall not be considered an expansion of the nonconformity.
- d. Building-mounted solar energy collectors shall be designed, constructed, and finished such that the exterior appearance is compatible in terms of materials, color, and general construction with that of the principal structure.
- e. Building-mounted solar energy collectors shall be mounted at the same angle as the roof itself, except that angle adjustment, solar tracking, and the like may be permitted provided that the collectors do not extend more than three feet above the height of the roof.
- f. Building-mounted solar energy collectors shall not obstruct or impede solar access to adjacent properties.
- g. Residential uses. There shall be no more than one (1) building-mounted solar energy collector system per principal building on a lot.
- h. Nonresidential uses. There shall be no limit to the number of building-mounted solar energy collectors on a lot.

4) Ground Mounted Solar Energy Systems.

- a. Rear and Side Yards. Ground mounted solar energy collectors may be located in the rear yard or the side yard but shall be subject to setbacks for accessory structures.
- b. Obstruction. Ground mounted solar energy collectors shall not obstruct or impede solar access to adjacent properties.
- c. Vegetation. All vegetation underneath ground mounted solar energy collectors shall be properly maintained consistent with the adopted International Property Maintenance

Code and other applicable ordinances so as to not block access to collectors or become a nuisance.

d. Residential Uses

1. Number Permitted. There shall be no more than one (1) ground-mounted solar energy system per principal building on a lot.
2. Size Limitations. There shall be no more than a maximum of one thousand five hundred (1,500) square feet of collector panels on a ground-mounted solar energy system.
3. Maximum Height. The maximum height shall be six (6) feet, measured from the natural grade below the equipment or collector to the highest point at full tilt.
4. A minimum lot area of 8,500 square feet is required to establish a ground-mounted solar energy system.

e. Commercial and Industrial Uses.

1. Number Permitted. There shall be no limit to the number of ground-mounted solar energy collectors on a lot.
2. Size Limitations. There shall be no more than ten thousand (10,000) square feet of collector panels on a ground-mounted solar energy system.
3. Maximum Height. The maximum height shall be sixteen (16) feet, measured from the natural grade below the equipment or collector to the highest point at full tilt.
4. A minimum lot area of one (1) acre is required to establish a ground-mounted solar energy system.

**Section 2. Repealer.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of any such conflict.

**Section 3. Savings Clause.** The provisions of this Ordinance are severable. If any part of this Ordinance is declared void or inoperable for any reason by a court of competent jurisdiction, such declaration does not void any or render inoperable any other part or portion of this Ordinance.

**Section 4. Effective Date.** This Ordinance is effective upon the expiration of seven days after its publication in the manner required by law.

YES: Councilmembers Atchison, Gross, Hamel, Nixon, Powell, Race, & Conley

NO: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

**ORDINANCE DECLARED ADOPTED.**

Dated: July 13, 2023

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Pamela Conley  
Mayor, City of Cedar Springs

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**CERTIFICATION**

I hereby certify the foregoing to be a true copy of the Ordinance to the Code of Ordinances for the City of Cedar Springs adopted by the City Council for the City of Cedar Springs at the time, date and place as specified above, pursuant to the required statutory procedures.

Public Hearing: June 6, 2023

First Reading: June 08, 2023

Second Reading: July 13, 2023

Adopted:

Published:

Effective:

Dated: July 13, 2023

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Rebecca Johnson  
City Clerk