City of Dearborn 16901 Michigan Avenue Dearborn, MI 48126 313-943-3027 dearborn.gov



Understanding Zoning and Other Placement Restrictions

Dearborn's Zoning Ordinance divides the city into zoning districts to regulate land use and activity (summarized on the Zoning Map). Solar installations are considered accessory uses or structures and therefore must conform to the requirements (such as height or lot coverage) of the zoning district the installation will be located in. This document provides an overview of the relevant zoning terms and codes to provide additional information to homeowners, business owners, and installers considering whether a solar installation is right for them. This document is for reference purposes only; please consult the Zoning Ordinance and Zoning Map directly for full descriptions and requirements.

Definitions (per <u>City of Dearborn Zoning Code</u>):

Accessory use, building, or structure: a use, building, or structure which is clearly incidental to, customarily found in connection with, subordinate to, and is located on the same zoning lot as the principal use to which it is exclusively related. Both ground-mounted and rooftop solar are generally considered accessory structures and uses and are therefore permitted throughout the city.

Height: the highest point of the ridge for a gable, hip, studio, gambrel or A-frame roof or the top of a parapet wall for a flat roof, measured from the grade plane. An artificial grade (a grade raised around the perimeter of the foundation of the structure) cannot be used to lessen the total overall height of the structure.

Lot coverage: the part or percent of the lot that is occupied by buildings or structures.

Screening: a wall, wood fencing, or combination of plantings of sufficient height, length, and opacity to form a visual barrier. If the screen is composed of nonliving material, such material shall be compatible with materials used in construction of the main building, but in no case shall include wire fencing.

Setback: the distance between a front, side or rear lot line or setback measurement line and the nearest supporting member of a structure on the lot. The minimum required setback is the minimum distance between a front, side or rear lot line or setback measurement line and the nearest supporting member of a structure in order to conform to the required yard setback provisions of these zoning regulations.

Structure: anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. The definition of structure does not include concrete flatwork or other walking surfaces such as asphalt or paving bricks. Structures include, but are not limited to, principal and accessory buildings, towers, storage containers/lockers, decks, fences, privacy screens, walls, antennae, swimming pools, signs, gas or liquid storage facility, and a mobile home.

Excerpted Requirements for Common Zoning Districts:

Consult the <u>Zoning Map</u> to determine what district a property belongs to and then the <u>Zoning Ordinance</u> to understand the relevant requirements and regulations; recall that both ground-mounted and rooftop solar installations are accessory structures/uses.

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Ground-mounted installations "shall be located in the rear yard and shall comply with height, yard setbacks, and lot coverage requirements for accessory buildings, unless otherwise permitted" (Section 2.03 D(1)). As accessory structures, they—along with all other accessory and principal structures—count towards lot coverage.

Rooftop solar installations must comply with height restrictions, unless otherwise described.

Excerpted requirements in common districts:

District Type	Rear Yard Setback	Max Lot Coverage	Height
One Family Residential	Varies by parcel size.	35%	Varies by parcel size.
(RA, RB)	See <u>Schedule of</u>		See <u>Schedule of</u>
	Regulations.		Regulations.
General Business (BC)	20 ft	50%	50 ft (4 stories)
Community Business (BB)	20 ft	40%	40 ft (3 stories)
Light Industrial (IA)	20 ft	60%	35 ft (2 stories)

See <u>Schedule of Regulations</u> for requirements in other districts.

Additional Considerations:

- Homeowners Associations (HOA): some homeowners associations enforce rules to maintain a
 distinct and uniform neighborhood appearance through bylaws, restrictive covenants, or deed
 restrictions. These rules may govern solar panel installations. This is a process entirely outside of
 the city's control; consult your HOA for more information. In July 2024, the state passed the
 Homeowners' Energy Policy Act which limits how HOAs regulate solar installations and
 energy-savings measures.
- Special Overlay Districts: special overlay districts are a zoning designation that allows for
 coherent standards across multiple zoning types. Currently, one such special overlay district
 exists in Dearborn—the Downtown Business District, which corresponds to the <u>East Dearborn</u>
 <u>Downtown Business District</u>. Land use in this district must conform to the standards set by the
 underlying zoning district as well as those prescribed by the Downtown Business District section
 of the <u>Zoning Ordinance</u>.
- West Downtown District: solar installations may exceed height limits in the West Downtown District and occupy up to 85% of the rooftop area (Section 27.03 A 3(B)).

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