GRAHAM SUSTAINABILITY INSTITUTE

Principles for Siting Clean Energy in Michigan to Reach MI Healthy Climate Goals

1. BALANCE STATE AND LOCAL PRIORITIES

A transformational shift in the state's energy system will impact all communities.

- A shift to wind and solar power not only means building different kinds of power plants, but also finding additional communities to host these projects since wind and solar developments require more land than the power plants they are replacing.
- One benefit of having more numerous renewable energy plants distributed throughout the state is that the electricity network becomes more resilient in the face of climate change.
- A more distributed energy network also spreads the impacts of energy infrastructure over more communities, rather than concentrating the impacts—both positive and negative—in just a few host communities.

RECOMMENDATION: Legislation should consider how all communities in the state can contribute to—and benefit from—the state's shift to renewable energy.

2. PRIORITIZE PROCEDURAL JUSTICE

Meaningful community involvement in renewable energy siting is crucial for procedural justice.

- Public participation that comes late in the process—once a developer has already developed a site plan—is contrary to best practices of collaboratively including the community in visioning for a project.
- Research in Minnesota and Ohio, as well as from Canada, shows that state-level processes often lack accessibility for community participation.
- Hearings held outside of the community present a particular barrier to lower-income community members.

RECOMMENDATION: To achieve procedural justice, it must be prioritized in state legislation.

3. HONOR EXISTING PLANNING AND ZONING

Superseding local ordinances risks undermining communities' careful planning and jeopardizes their future success.

- Local zoning can be highly nuanced. For example, many communities have multiple agricultural or industrial zoning districts, each allowing for a different combination of uses.
- Local zoning also flows from planning processes that envision specific future outcomes for different parts of the community, such as residential growth in some areas and farmland preservation in others.
- Uniform regulation cannot account for these nuances and therefore risks inadvertently undoing sound planning.

RECOMMENDATION: Legislation should recognize and defer to existing local planning and zoning that was produced with integrity.

4. REDUCE AMBIGUITIES IN THE MICHIGAN ZONING ENABLING ACT

Local officials need clear guidance on their role in regulating renewable energy.

- The Michigan Zoning Enabling Act (MZEA) states that zoning cannot entirely prohibit a land use when there's a demonstrated need, but it isn't clear on how that applies to renewable energy.
- Taking advantage of that ambiguity, many municipalities' wind and solar ordinances impose height and setback limits amounting to a virtual ban, but the legality of these ordinances has not been tested in the courts.
- This places all local officials in a tough position, forced to mediate between residents favoring restrictions and those advocating for more leniency.

RECOMMENDATION: Revise and clarify state regulations around zoning restrictions.

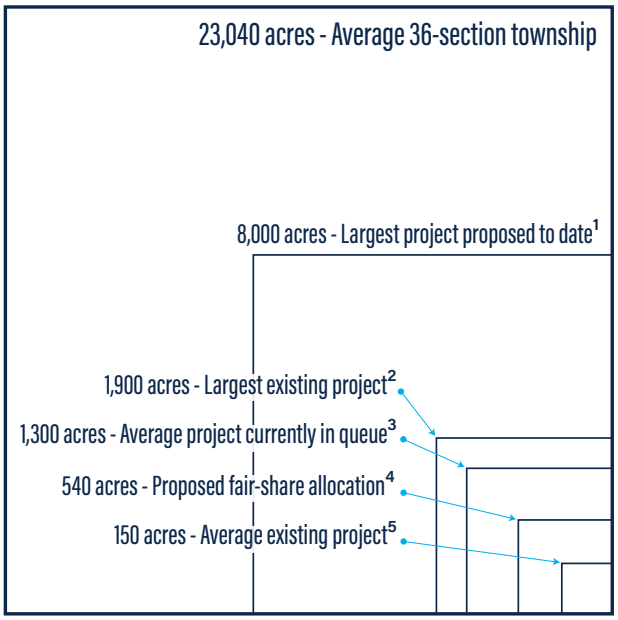
An Opportunity to Lead: Adopt a "Fair-Share" Approach

Michigan is not the only state grappling with how to regulate the siting of renewable energy projects to enable a speedy energy transition. Many states have looked at some form of state-level control, especially for the largest projects. But this approach often leaves rural communities feeling that they alone are expected to shoulder the burden of the energy transition. Meanwhile, urban communities desiring the benefits of clean energy development lament that the focus on large projects effectively eliminates all opportunities for them.

The State of Michigan has an opportunity now to depart from the status quo and pioneer a future-oriented approach to renewable energy siting: allowing every community to plan for how it will contribute to the state's decarbonization goals in a way that respects their local priorities. Inspired by our regulation of mobile home parks, it would assign each zoning jurisdiction a renewables target based on its land area and then empower each community to plan how—and where—renewable energy fits within its jurisdiction.

Elements of a Fair-Share Approach to Support a Speedy Transition

1. Applies to all communities—urban, suburban, and rural—signaling that we all must do our part and will receive our share of the benefits of the energy transition.
2. Each community gets a fair-share obligation and deadline by which to create a plan and local zoning to meet its obligation. The State provides each community with sample planning and zoning for an easy path to meet its obligation, but each community is allowed to create its own plan. The Public Service Commission is responsible for permitting projects in communities that do not submit workable plans.
3. Where there are practical challenges—for example, a township that is mostly forested or a built-out village with no open space—there are other paths to compliance, such as by reducing all barriers to distributed generation (e.g., through SolSmart certification).
4. There are economies of scale in renewables, so larger projects reduce the price of power for everyone. Communities that voluntarily exceed their fair share receive a financial benefit for doing so.



Scale of Solar Development in Michigan

This graphic is designed to provide a sense of scale. The boundary represents an average Michigan township of 36 square miles. The nested squares within represent various project sizes. The largest square is a proposed 1,000 MW project in Calhoun County and the smallest square is an average existing project in Michigan. Acreage per project is actual for built projects and 8 acres per MW for estimates and proposed projects.

1. *Sunfish Solar, 1000 MW, Lee Township, Calhoun County (proposed)*
2. *Assembly Solar, 239 MW, Shiawassee County*
3. *Average in MISO queue seeking interconnection as of 10/31/23, 157 MW*
4. *Assumes a fair-share requirement of 1.5 MW per square mile and a (conservative) solar project density of 10 acres per MW.*
5. *Average size of all 39 existing utility-scale solar projects, 18 MW; sizes range from <1 MW to 239 MW*

This is a publication of the Center for EmPowering Communities. Learn more about our work and how you can support our mission at graham.umich.edu/empowering-communities.

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