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STATE OF MICHIGAN

COURT OF APPEALS

ST. CLAIR COUNTY HEALTH DEPARTMENT,

Plaintiff/Counterdefendant-Appellant,

v

LAKE IRIS SOLAR, LLC, and NORTHSTAR CLEAN ENERGY COMPANY,

Defendants/Counterplaintiffs-Appellees,

and

ST. CLAIR COUNTY BOARD OF COMMISSIONERS and ST. CLAIR COUNTY,

Counterdefendants.

UNPUBLISHED
November 18, 2026
11:57 AM

No. 379633
St. Clair Circuit Court
LC No. 25-001696-CZ

Before: MURRAY, P.J., and PATEL and FEENEY, JJ.

PER CURIAM.

Plaintiff/counterdefendant, St. Clair County Health Department, appeals as of right the trial court's order granting defendants/counterplaintiffs, Lake Iris Solar, LLC and Northstar Clean Energy Company's motion for summary disposition pursuant to MCR 2.116(C)(10) and denying summary disposition in favor of counterdefendants, Health Department, St. Clair Board of Commissioners (the BOC), and St. Clair County, pursuant to MCR 2.116(I)(2). We affirm.

In January 2021, Lake Iris Solar submitted to Greenwood Township a site plan and an application for a special use permit for the development and construction of a 100 megawatt solar farm. Greenwood Township approved Lake Iris Solar's special use permit, and Lake Iris Solar posted a $4.3 million decommissioning bond as required by the special use permit approval. Greenwood Township issued another building permit to Lake Iris Solar for preparation and fencing, and Lake Iris Solar began construction in 2023. In April 2024, Northstar joined Lake Iris Solar, and they applied for a building permit for Phase 2 of the solar project, which Greenwood

Township granted. Greenwood Township eventually extended the building permit in 2025, and by September 1, 2025, defendants had spent $92.4 million on the project.

In the midst of this building process, the Legislature passed 2023 PA 233, adding Part 8, Wind, Solar, and Storage Certification, to the Clean, Renewable, and Efficient Energy Act, MCL 460.1001 *et seq*. The provisions added by 2023 PA 233 took effect on November 29, 2024. At the same time, the Legislature amended MCL 125.3205(1)(d) of the Michigan Zoning Enabling Act (MZEA), MCL 125.3101 *et seq*., to provide that a zoning ordinance is subject to "Part 8 of the clean and renewable energy and energy waste reduction act, 2008 PA 295, MCL 460.1221 to 460.1232."

In response to Part 8, the BOC adopted the regulations that the Health Department recommended, and Regulation 25-01 went into effect on May 1, 2025. The regulation requires any company constructing an energy facility in St. Clair County to obtain prior authorization from the Health Department, and to maintain and operate them pursuant to all applicable laws and "at least the minimum standards required in this Regulation." Regulation 25-01's requirements are more restrictive than those set forth in Part 8.

Defendants received a letter from the Health Department inquiring whether they planned to apply for the Health Department's authorization pursuant to Regulation 25-01. Defendants denied receiving any further communication from the Health Department, and they continued construction on the project. In August 2025, the Health Department filed a verified complaint requesting a mandatory permanent injunction compelling defendants to comply with Regulation 25-01 and permanently enjoining them from continuing construction of the energy facility in violation of Regulation 25-01. The trial court granted defendants' motion for summary disposition, concluding that Regulation 25-01 was a de facto zoning ordinance that exceeded the Health Department's authority.

This Court reviews de novo a trial court's decision on a motion for summary disposition. *El-Khalil v Oakwood Healthcare, Inc*, 504 Mich 152, 159; 934 NW2d 665 (2019). Summary disposition is appropriate under MCR 2.116(C)(10) if, "[e]xcept as to the amount of damages, there is no genuine issue as to any material fact, and the moving party is entitled to judgment or partial judgment as a matter of law." "If, after careful review of the evidence, it appears to the trial court that there is no genuine issue of material fact and the opposing party is entitled to judgment as a matter of law, then summary disposition is properly granted under MCR 2.116(I)(2)." *Cadillac Rubber & Plastics, Inc v Tubular Metal Sys, LLC*, 331 Mich App 416, 422; 952 NW2d 576 (2020).

This Court also reviews de novo questions of statutory interpretation. *Rowland v Washtenaw Co Rd Comm*, 477 Mich 197, 202; 731 NW2d 41 (2007). Michigan courts interpret and review ordinances in the same manner as statutes. *Grand Rapids v Brookstone Capital, LLC*, 334 Mich App 452, 457; 965 NW2d 232 (2020). The question of whether a state law has preempted a local regulation is also reviewed de novo. *Mich Gun Owners, Inc v Ann Arbor Pub Sch*, 502 Mich 695, 702; 918 NW2d 756 (2018).

The Health Department argues that the trial court erred by determining that Regulation 25-10 is a zoning ordinance and that the Health Department exceeded its authority by adopting it. But

for the reasons expressed in *DTE Electric Co v St. Clair Co*, ___Mich App ___; ___ NW3d ___ (2026) (Docket No. 379632), we affirm the trial court's order granting summary disposition to defendants. The parties agreed at oral argument before this Court that the issues and arguments made in this case are identical to those raised in *DTE Electric*. Consequently, that decision controls the disposition of this appeal, requiring us to affirm.

Affirmed.

/s/ Christopher M. Murray
/s/ Sima G. Patel
/s/ Kathleen A. Feeney