



MEMORANDUM

DATE: February 8, 2016
TO: Chairperson Hvidsten, Members of the Planning Commission, Administrator Kreft
FROM: Cynthia Smith Strack, Community Development Director
RE: Item 6.1 Solar Energy Uses

REQUEST SUMMARY:

PZ Task: Discussion of solar energy systems (SES) as principal uses

Discussion Overview : The Planning Commission and City Council held a joint workshop in January. The workshop purpose was discussion of SES as principal uses in the A-2 Rural Residential (RR) District. The Council directed the Planning Commission to continue research to allow SES as principal uses in the RR District.

At this time SES are not allowed principal uses of property in Belle Plaine. "Principal" use of property means the predominant use of a parcel of land. Since SES are not addressed in the City Code, a code amendment is envisioned.

The RR District classification is attached to forty (40) acres of property in the City limits. All 40 acres are owned by the Devine Johnson's and located in a continuous tract west of the westerly terminus of South Street as illustrated on the attached map.

To establish a framework for discussion I've created the attached matrix of SES standards from various cities and standards recently approved by Scott County. The City samples are from Afton, Falcon Heights, and Fergus Falls and are referenced by the League of Minnesota Cities.

As background for discussion please note the concept of an interim use permit (IUP) is similar to a conditional use permit (CUP) the only difference being an IUP can assign a 'sunset date' and doesn't have to 'run with the property' like a CUP. An IUP follows the same issuance process as a CUP including public hearings but the IUP can be tied to a future date, event, or action. For example, cessation of IUP approval can be coterminous with third party agreements between owners/operators of SES and utility companies.

For the code amendment, I recommend an IUP (as opposed to a CUP) as the authorization mechanism for SES principal uses. The Commission may also wish to discuss non-commercial i.e. systems not connected to the grid or roof top systems as accessory uses with certain restrictions.



Legend

- City Limits
- Roads
 - US Highway
 - State Highway
 - Ramp
 - County Highway
 - Local Road
- Minnesota River
- Protected Waters
 - Public Water Basin
 - Public Water Welland
- Protected Waters - Watercourse
- Parks



Devine Johnson Property 40 ac total

Location Map SES



Disclaimer:
 This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Belle Plaine is not responsible for any inaccuracies herein contained.

0 1,167 Feet



SOLAR ENERGY SYSTEMS ORDINANCE MATRIX

ATTRIBUTE	CITY OF AFTON	CITY OF FALCON HEIGHTS	CITY OF FERGUS FALLS	SCOTT COUNTY
Definitions	Yes	Yes	Yes	Yes
Use	Permitted accessory uses (roof and ground) in all zoning classifications. 'Community' solar energy systems only allowed in industrial districts.	Permitted accessory uses (roof and ground) in all zoning classifications	Permitted principal use in Rural Agricultural District only	Rooftop permitted accessory use in all zoning classifications. Ground mounted IUP in urban expansion areas provided they are not in City growth boundaries.
Height	Roof: 24', Ground: 20'	Roof: Max. district height; Ground: 20'	Roof: Max district height; Ground: 25'	Roof: Max district height; Ground: 15'
Setbacks	Roof mounted: can't extend beyond footprint of roof; Ground as required in zoning district	Roof mounted: can't extend beyond footprint of roof; Ground as required in zoning district	Roof mounted: no specific standard; Ground: as required in zoning district	Roof mounted: no specific standard; Ground: as required for principal structure in underlying zoning district
Lot Coverage	Underlying zoning standards apply	Roof mounted: can't cover more than 80% of roof; Ground: underlying zoning district plus 10%. Calculated on square footage of panels	Not addressed	Not addressed
Glare	Must minimize glare, specific site layout standards itemized	Not addressed	Broad statement to 'blend in' and 'minimize glare'	Require a glare study be completed (Solar Glare Hazardous Awareness Tool)
Historic Property	Must be reviewed by historic preservation committee. Ground mounted can't exceed 1% of lot area	Not addressed	Not addressed	Not addressed
Permit Required	Administrative: site plan, building permit, electrical permit, and plumbing if needed. "Solar Farms" & "Community" SES require a CUP	Administrative: site plan, building permit, etc.	Administrative: site plan, building permit, etc.	CUP or IUP - public hearing required
Interconnection Agreements Required (not applicable to off-grid systems)	Yes	Yes	Yes	Yes
Size limitations	For residential uses can't exceed 40kW	Not addressed	Residential districts can't exceed 200 s.f. of solar collection surface	Maximum of one (1) SES per parcel. System or co-located systems can't exceed five (5) MW rated capacity
Screening	No specific screening requirements but if not screened maximum height and area of use is limited	Only required if visible from a public right of way	Requires screening 'to extent possible' without interfering with solar access	Berm or continuous evergreen vegetative buffer provided and maintained at all times around perimeter of the fencing that faces public roads, existing residences, or residentially zoned property.
Power/Communication Lines Underground	Required	Not addressed	Required	Required (same language as Afton)
Decommissioning/Abandonment	Plan required, City <i>may</i> require escrow account, bond or letter of credit; Six months is timeframe presumably applies only to uses under CUP	Not addressed	No decommissioning plan or surety required; simply requires removal of system following issuance of a demolition permit if vacant for more than one year	Requires decommissioning plan and posting of bond, letter of credit or establishment of an escrow account in the amount of 125% of cost of complete removal and disposal of all system components including foundations
Fencing	Not addressed	Not addressed	For solar farms, required around perimeter	Required for CUP/IUP must be chain link and not higher than eight (8) feet.
Signage	Not addressed	Not addressed	None allowed, except for sign displaying facility name, address, and emergency contact information	None allowed; but, must have manufacturer and equipment information, warning, security, and/or indication of ownership signage
Waste Disposal	Not addressed	Not addressed	Not addressed	Solid and hazardous waste removal required
Stormwater Management and Erosion Control	City stormwater management standards apply as do NPDES	Not addressed	Not addressed	Stormwater review required, resource management plan required if greater than 1 ac impervious surface
Site Access	Not addressed	Not addressed	Not addressed	Access from public road required