

CITY OF MINNETRISTA
COUNTY OF HENNEPIN
STATE OF MINNESOTA

ORDINANCE NO. 431

AN ORDINANCE AMENDING MINNETRISTA CITY CODE CHAPTER 5
REGARDING SOLAR ENERGY SYSTEMS

Section I. The city council of the city of Minnetrista hereby amends section 505.01 of the Minnetrista city code by adding the following definitions:

Section 505.01 Definitions

Building-Integrated solar energy system means an active solar energy system that is an integral part of a principal or accessory structure, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated solar energy systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within the building's roofing materials, windows, skylights, or awnings.

Ground-Mounted solar energy system means a freestanding solar energy system mounted to the ground by the use of stabilizers or similar apparatuses.

Roof-Mounted solar energy system means a solar energy system that is mounted to the roof using brackets, stands or other apparatuses.

Solar energy system (SES) means a device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage, and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

After the above paragraphs are inserted into this section, all other paragraphs in this section shall be reordered accordingly.

Section II. The city council of the city of Minnetrista hereby amends section 505.07, subdivision 9 of the Minnetrista city code by adding the double-underlined material as follows:

Section 505.07 General Regulations

Subd. 9. Accessory Structures and Uses

- (a) The following uses are permitted in residential and agricultural zoning districts as accessory uses, subject to the terms listed herein and subject to the regulations set forth in the residential zoning districts:
 - (1) accessory structures
 - (2) guest apartments

- (3) guest homes smaller than 1,000 square feet of gross floor area are allowed in the A, AP, and R-1 zoning districts
- (4) home occupations, subject to the regulations in this section;
- (5) privately-owned recreational facilities on a single-family lot (including, but not limited to, pools, tennis courts, playhouses)
- (6) Building integrated solar energy systems and solar energy systems, with the exception that solar energy systems are permitted uses in the Agricultural Preserve district. In all other residential and agricultural zoning districts, solar energy systems are a conditional use provided that there is a principal use to which the system is accessory.

Section III. The city council of the city of Minnetrista hereby amends section 505.12 of the city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

Section 505.12 Solar Energy Systems and Building Integrated Solar Energy Systems

Subdivision 1. Purpose.

The intent of this section is to allow reasonable construction of solar energy systems and to set forth performance standards in order to protect surrounding properties from any adverse effects. The city recognizes that using solar energy systems, building integrated solar energy systems and other alternative sources for energy production is a re-emerging technology that provides an alternative to traditional sources of power, which will continue to increase in its share of energy production as non-renewable sources increase in costs. Furthermore, the city seeks to support and encourage such alternatives by providing greener options in the provision of energy.

Subd 2. Permit Requirements.

All solar energy systems and building integrated solar energy systems are subject to any and all applicable federal, state and local laws and regulations. A building permit must be obtained from the city for any solar energy system or building integrated solar energy system prior to installation. In certain zoning districts, a conditional use permit is required for solar energy systems. In that event, the conditional use permit application will be considered in accordance with the general conditional use permit regulations set forth in section 505.05, subdivision 7 of this code. The city council reserves the right to add additional reasonable conditions to the conditional use permit with respect to aesthetics, height, setbacks, and location.

Subd 3. Performance Standards. All solar energy systems shall be subject to the following performance standards, regardless of whether or not a conditional use permit is required.

- (a) Location. Ground-mounted solar energy systems shall be limited to the side and rear yards. On double frontage lots, solar energy systems must be located in the larger of the two front yards.

(b) Height.

- (1) Roof-mounted solar energy system. A roof-mounted solar energy system must not exceed the height requirement in the applicable zoning district for the structure on which it is mounted.
 - (2) Ground-mounted solar energy system. A ground-mounted solar energy system must not exceed the height requirement in the applicable zoning district for an accessory structure when oriented at maximum tilt.
- (c) Setbacks. A ground-mounted solar energy system must meet the setbacks required for an accessory structure in the applicable zoning district when oriented at minimum tilt. A roof-mounted solar energy system must comply with all structure setback requirements in the applicable zoning district and must not extend beyond the exterior perimeter of the structure on which the system is mounted.
- (d) Coverage. The total square footage of a ground-mounted solar energy system when oriented at minimum tilt will be included in the property's impervious surface calculation.
- (e) Screening. A ground-mounted solar energy system must be screened from view to the extent possible without reducing its efficiency. Screening may include, but is not limited to, walls, fences, or landscaping.
- (f) Aesthetics. A roof-mounted solar energy system should match the structure to which it is mounted to the maximum extent possible. A ground-mounted solar energy system should match the principal structure to the maximum extent possible.
- (g) Feeder lines. The electrical collection system for a solar energy system must be placed underground within the boundaries of the property. A collection system may be placed overhead if it is near a substation or a point of interconnection to the electric grid.

Subd 4. Abandonment. A solar energy system that is not in proper working order, has ceased functioning for a period of more than six months or has not been maintained must be deconstructed and removed from the property. A demolition permit is required for the removal of the solar energy system. Any person who fails to deconstruct and remove a non-functioning solar energy system is guilty of a misdemeanor. The city may require a surety or letter of credit be provided to the city at the time of construction of the solar energy system in order to ensure proper deconstruction and removal at such a time that the solar energy system is no longer in proper working order.

Section IV. The city council of the city of Minnetrista hereby amends the use chart in section 505.13, subdivision 4 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

Section 505.13 District Classifications and Use Chart

	Districts			
	C-1	C-2	C-3	I
<u>Solar energy systems (SES)</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>	<u>A/C</u>

	P-1
<u>Building-Integrated solar energy systems</u>	<u>A</u>
<u>Solar energy devices as an integral part of the principle structure</u>	<u>A</u>
<u>Solar energy systems (SES)</u>	<u>A/C</u>

Section V. The city council of the city of Minnetrista hereby amends section 505.15, subdivision 3 of the city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.15 R-1 Residential Zoning District

Subd 3. Conditional Uses

- a) Accessory structures exceeding 1,000 square feet
- b) Cemeteries or mausoleums
- c) Guest homes have a gross floor area exceeding 1,000 square feet or square footage that is 30 percent or more of the primary residence's footprint, whichever is less
- d) Home occupations, if required in accordance with Section 505.07 subd. 10)
- e) Libraries and museums
- f) Recreation facilities owned in common (including, but not limited to homeowner's association, country club) unless a site plan is already required
- g) Schools
- h) Ground-mounted solar energy systems (must be a principal use to which the system is accessory)

Section VI. The city council of the city of Minnetrista hereby amends section 505.17, subdivision 3 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.17 R-2 Residential Zoning District

Subd 3. Conditional Uses

- a) Libraries
- b) Country clubhouses or other private clubhouses
- c) Schools or other similar institutions
- d) Units that do not meet square footage regulations as prescribed in sub. 1
- e) Nursing homes and similar care facilities within the allowable density and structures allowed
- f) Ground-mounted solar energy systems (must be a principal use to which the system is accessory)
- g) Other similar uses, as deemed appropriate by city council

Section VII. The city council of the city of Minnetrista hereby amends section 505.18, subdivision 3 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.18 R-2 (a) Residential Zoning District

Subd 3. Conditional Uses

- a) Libraries
- b) Country clubhouses or other private clubhouses
- c) Schools or other similar institutions
- d) Unites that do not meet square footage regulations as prescribed in sub. 1
- e) Nursing homes and similar care facilities within the allowable density and structures allowed
- f) Ground-mounted solar energy systems (must be a principal use to which the system is accessory)
- g) Other similar uses, as deemed appropriate by the city council

Section VIII. The city council of the city of Minnetrista hereby amends section 505.19, subdivision 3 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.19 R-3 Residential Zoning District

Subd 3. Conditional Uses

- a) Libraries

- b) Country clubhouses or other private clubhouses
- c) Schools or other similar institutions
- d) Units that do not meet square footage regulations as prescribed in sub. 1
- e) Nursing homes and similar care facilities
- f) State licensed day care facility serving from 13 to 16 persons, as defined and regulated by state statute
- g) Ground-mounted solar energy systems (must be a principal use to which the system is accessory)
- g) h) Other similar uses, as deemed appropriate by city council

Section IX. The city council of the city of Minnetrista hereby amends section 505.23, subdivision 3 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.23 R-5 Residential Zoning District

Subd 3. Conditional Uses

- a) Hospitals or clinics
- b) Libraries
- c) Retail, neighborhood level, not associated with mixed use (not to exceed 30,000 square feet)
- d) Religious or other similar assembly uses
- e) Country clubhouses or other private clubhouses
- f) Schools or other similar institutions
- g) Smaller unit types than otherwise permitted by this section
- h) Nursing homes and similar care facilities
- i) Ground-mounted solar energy systems (must be a principal use to which the system is accessory)
- i) j) Other uses, as deemed appropriate by city council

Section X. The city council of the city of Minnetrista hereby amends section 505.25, subdivision 4 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.25 RDB Residential-Douglas Beach Zoning District

Subd 4. Conditional Uses

- a. Accessory structures exceeding 1,000 square feet

- b. Cemeteries or mausoleums
- c. Guest homes have a gross floor area exceeding 1,000 square feet or square footage that is 30 percent or more of the primary residence's footprint, whichever is less
- d. Home occupations, if required in accordance with Section 505.07, subd. 10)
- e. Libraries and museums
- f. Recreation facilities owned in common (including, but not limited to homeowner's association, country club) unless a site plan is already required
- g. Schools
- h. Ground-mounted solar energy systems (must be a principal use to which the system is accessory)

Section XI. The city council of the city of Minnetrista hereby amends section 505.27, subdivision 4 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.27 SDD Staged Development District

Subd 4. Conditional Uses

- a. Accessory structures exceeding 1,000 square feet
- b. Cemeteries or mausoleums
- c. Guest homes have a gross floor area exceeding 1,000 square feet or square footage that is 30 percent or more of the primary residence's footprint, whichever is less
- d. Home occupations, if required in accordance with Section 505.07 subd.10)
- e. Libraries and museums
- f. Recreation facilities owned in common (including, but not limited to homeowner's association, country club) unless a site plan is already required
- g. Schools
- h. Ground-mounted solar energy systems (must be a principal use to which the system is accessory)

Section XII. The city council of the city of Minnetrista hereby amends section 505.29, subdivision 4 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.29 A Agriculture District

Subd 4. Conditional Uses

- a. Agricultural feedlots and poultry facilities
- b. Agricultural service establishments
- c. Farm Winery
- d. Cemeteries or mausoleums
- e. Guest homes have a gross floor area exceeding 1,000 square feet or square footage that is 30 percent or more of the primary residence's footprint, whichever is less
- f. Home occupations, if required in accordance with Section 505.07 subd. 10)
- g. Libraries and museums
- h. Recreation facilities owned in common (including, but not limited to homeowner's association, country club) unless a site plan is already required
- i. Schools
- j. Keeping of non-domestic animals, in accordance with Section 1110
- k. Stables, commercial, limited commercial, or private
- l. Ground-mounted solar energy systems (must be a principal use to which the system is accessory)

Section XII. The city council of the city of Minnetrista hereby amends section 505.31, subdivision 4 of the Minnetrista city code by deleting the ~~stricken~~ material and adding the double-underlined material as follows:

505.31 AP Agriculture Preserve District

Subd. 3. Permitted Uses

The following uses are permitted in this zoning district. Omission from this list or the list described in subdivision 4 or 5 means that the use is prohibited.

- a. Single family, detached dwellings (including manufactured or modular homes)
- b. Accessory or farm buildings of any size
- c. Historic sites
- d. Parks and recreational trails and paths
- e. Public utility buildings
- f. Religious or other similar assembly uses, with the approval of a site plan
- g. State licensed residential facility or housing with services establishment serving six or fewer persons, as defined and regulated by state statute

- h. State licensed day care facility serving 12 or fewer persons, as defined and regulated by state statute
- i. Group family day care facility licensed under Minnesota Rules to serve 14 or fewer children, as defined and regulated by state statute
- j. Commercial agriculture and horticulture, including drainage and irrigation systems
- k. Stables, limited private
- l. Air Strips
- m. Solar energy systems

Section XIII. Effective Date. This ordinance shall be effective upon its adoption and publication in the city's official newspaper.

Adopted by the city council of the city of Minnetrista this ____ day of _____, 2015, by a vote of ____ ayes and ____ nays.

Lisa Whalen, Mayor

ATTEST:

Kris Linnquist, City Clerk