

**CITY OF GREEN ISLE
ORDINANCE NO. 19-02**

**AN ORDINANCE AMENDING ORDINANCE 14-01, THE GREEN ISLE
ZONING ORDINANCE, BY ADDING SECTION 11 (GENERAL
REGULATIONS), SUBDIVISION 7 TO PROVIDE FOR
SOLAR ENERGY SYSTEMS**

- I. THE CITY COUNCIL OF THE CITY OF GREEN ISLE, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 11 OF ORDINANCE 14-01, THE ZONING ORDINANCE, SHALL BE AMENDED BY ADDING SUBDIVISION 7 AS FOLLOWS:**

SUBDIVISION 7. SOLAR ENERGY SYSTEMS.

- A. Purpose. The purpose of this Subdivision is to allow for rooftop and building integrated solar energy systems as accessory uses in certain zoning classifications and to provide for ground-mounted solar energy systems as principal uses in the A-1 Agricultural District.
- B. Findings. The City finds certain solar energy systems, accessory to existing uses, benefit the public health, safety, and welfare by:
1. Promoting the use of and investment in an abundant, clean, and renewable energy resource,
 2. Promoting a reduction in greenhouse gas emissions,
 3. Supporting local utility cost savings, and
 4. Creating access to community-based solar energy.
- C. Definitions. For the purpose of this Section, certain terms and words are defined as follows:
1. Solar Easement means an easement that limits the height or location or both of permissible development on land on which the easement is placed in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to sunlight as defined in Minnesota Statutes Section 500.30, Subdivision 3 as may be amended.
 2. Solar Energy System means a device, combination of devices, or structural

design feature, of which a substantial purpose is to provide for the collection, storage, use, and distribution of solar energy for electricity generation, space heating or cooling, or water heating.

3. Solar Energy System, Building Integrated means an active solar energy system that is an integral part of a structure or structural component rather than a separate mechanical or ground mounted device.
4. Solar Energy System, Ground Mounted means a solar energy system structurally mounted to the ground which is not roof mounted.
5. Solar Energy System, Rooftop means an active solar energy system that is structurally mounted to a code-compliant roof of an existing building or structure.
6. Solar Energy System, Wall-Mounted means an active solar energy system that is structurally mounted to a code-compliant wall of an existing building or structure.

D. Solar Energy Systems as an allowed accessory use.

1. Rooftop, wall, and building integrated solar energy systems are allowed as accessory uses, subject to Section 7(F), 'General Provisions' of this Ordinance, in the following zoning classifications: A-1 Agricultural District, R-1 One and Two Family Residence District, R-2 Multiple Family Residence District, B-1 Service Business District, I-1 Limited Industrial District, and the I-2 General Industrial District.
2. Rooftop and building integrated solar energy systems are allowed as accessory uses, subject to Section 7(F), "General Provisions" of this Ordinance in the following classification: B-2 Central Business District.

E. Solar Energy Systems as a conditional use.

Ground mounted solar energy systems are allowed as a conditional use in the A-1 Agricultural District providing a conditional use permit is issued and subject to the standards of Section 7(F), "General Provisions" of this Ordinance.

F. General Provisions. The follow standards apply to all accessory solar energy systems.

1. A maximum of one (1) solar energy system per lot or parcel shall be allowed.
2. Building and electrical permits shall be secured.
3. Solar energy systems shall be placed to limit visibility from the public

right-of-way to the extent possible and to blend into the building design, provided that minimizing visibility still allows the owner to reasonably capture solar energy.

4. Ground mounted solar energy systems:
 - a. All equipment and structures shall meet the minimum setback for principal structures in the A-1 Agricultural District.
 - b. Shall have direct access from a public right of way.
 - c. A decommissioning plan shall be provided and approved prior to issuance of the required conditional use permit ensuring that the facilities shall be properly removed after their useful life and that the site shall be properly restored. Decommissioning of solar panels and all system components above and underground shall occur in the event the system is not used for twelve (12) consecutive months.
 - d. A bond, a letter of credit, or an escrow account to ensure proper decommissioning, shall be established prior to the issuance of an conditional use permit and thereafter maintained in an amount equal to 125% of the estimated amount of the decommissioning cost. The estimated cost of decommissioning shall be reviewed on a regular basis, but not less than once every five years, and the bond, letter of credit, or established escrow account shall be adjusted to ensure the amount thereof is equal to 125% of the estimated amount required to decommission the Solar Energy System. In the event the bond, letter of credit, or escrow account is not equal to 125% of the estimated cost of decommissioning the Solar Energy System, said amount shall be adjusted accordingly.
 - e. The owner, developer, or operator of the solar energy system shall provide the City evidence of an executed interconnection agreement with the electric utility in whose service territory the system is located prior to building permit issuance, except that off-grid systems are exempt from this requirement. The property owner and system operator are required to provide written notice in the event the executed interconnection agreement is cancelled, renegotiated, expired, etc. Failure of the property owner and system operator to notify the City of a change in the executed agreement or status thereof may result in revocation of the applicable conditional use permit.
 - f. Current emergency contact information for system owner/operator shall be posted at the site.

- g. The City Council may require fencing and/or berming of the site to address concerns related to safety and/or viewshed.
- h. Impervious surface coverage shall not exceed the standard provided in the underlying zoning district. Photovoltaic panels shall not be considered an impervious surface; however, if placed on a concrete pad said pad shall be considered an impervious surface.

5. Rooftop solar energy systems:

- i. Shall be setback at least one foot from every building wall, roof edge, roof peak, roof ridge, and roof valley.
- j. Shall not cover greater than eighty (80) percent of each side of the roof or wall to which they are affixed.

6. Glare from solar energy systems to adjacent or nearby properties shall be minimized.

G. Solar Access Easements Allowed. The City elects to allow solar easements to be filed consistent with Minnesota Statutes, Chapter 500.30, as may be amended from time to time. Owners of land or solar skyspace are responsible for negotiating, drafting, and executing solar easements. Solar easements shall be filed with the City and the Sibley County Recorder’s Office.

II. EFFECTIVE DATE:

This Ordinance is effective upon its adoption and publication as prescribed by law.

For City of Green Isle:

By Joe Kreger
It’s Mayor

By Diane Hatlestad
It’s City Clerk

Public Hearing February 12, 2019
Adopted February 12, 2019
Published March 28, 2019